

EMBOLDEN SA INC:
SUBMISSION TO ATTORNEY-GENERAL'S
DEPARTMENT DISCUSSION PAPER:

IMPLEMENTATION CONSIDERATIONS
SHOULD COERCIVE CONTROL BE
CRIMINALISED IN SOUTH AUSTRALIA

APRIL 2022

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About Embolden

Embolden is the statewide peak body of organisations working to respond to and eliminate domestic, family and sexual violence in South Australia.

Our members provide services that promote women and their children's safety and wellbeing, and work to prevent and respond to violence against women.

We lobby and advocate for women's rights to respect, safety and self determination, and represent providers of specialist services in the domestic, family and sexual violence and related sectors, including services that work with men who use violence against women and Aboriginal specialist services.

Acknowledgement of Country

We acknowledge and respect Aboriginal peoples as the state's first peoples and nations, and recognise Aboriginal peoples as traditional owners and occupants of land and waters in South Australia. Sovereignty has never been ceded. It always was and always will be, Aboriginal land.

We recognise that their spiritual, social, cultural and economic practices come from their traditional lands and waters, that they maintain their cultural and heritage beliefs, languages and laws which are of ongoing importance, and that they have made and continue to make a unique and irreplaceable contribution to the state.

We acknowledge that Aboriginal peoples have endured, and continue to endure, injustices and dispossession of their traditional lands and waters.

We continue to pay respect to the resilience and strengths of Ancestors and Elders past, present and those emerging.

About this Submission

This submission has been prepared by Embolden with consultation and input from its members and key stakeholders, including women with and without children who have lived experience of domestic, sexual and family violence.

The term ‘gender-based violence’, used throughout this submission, allows us to encompass not only intimate partner or domestic and family violence, but also sexual violence committed outside of intimate relationships as well as violence against women committed by and within institutions. This term encompasses violence committed against women (both cisgender and transgender) as well as non-binary people, serving as “an umbrella term for any harmful act that is perpetrated against a person’s will and that is based on socially ascribed (i.e., gender) differences between males and females” (UNFPA 2019). The term ‘gender-based violence’ draws the attention to underlying drivers of violence that are rooted in rigid and binary gender norms, gender inequality, unequal power relationships, coercion and control (UNHCR 2020) “that are reinforced by patriarchal social constructs” (Domestic Violence Victoria 2020, pg. 77). It includes sexual violence that can occur both within and outside the context of domestic and family violence.

Acronyms used

ACCO	Aboriginal community controlled organisations
CALD	Culturally and linguistically diverse
CSJ	Criminal justice system
DFV	Domestic and family violence
DFSV	Domestic, family and sexual violence
DPO	Disabled people’s organisations
ISG	Information sharing guidelines
LGBTIQ+	People who are lesbian, gay, bisexual, transgender, intersex or queer
NOSPI	National Outcome Standards for Perpetrator Interventions
RRR	Rural, regional and remote areas
SWDFSVS	Specialist women’s domestic, family and sexual violence services
TPV	Temporary Protection Visa

This submission is provided on behalf of our member organisations, including:

Bramwell House
Ceduna Regional Domestic Violence and Aboriginal Family Violence Services
Coober Pedy Regional DV & Aboriginal Family Violence Service
Cross Border/APY Lands Aboriginal Family Violence Service
Fleurieu and KI DV Service
Homelessness Gateway Service
Kornar Winmil Yunti Aboriginal Cooperation
Limestone Coast Domestic Violence Service
Murray Mallee and Adelaide Hills DV Service
Nunga Mi:Minar
OARS Community Transitions
Port Augusta Regional DV & Aboriginal Family Violence Service
Relationships Australia (SA)
Riverland Domestic Violence Service
Victim Support Service
Vinnie's Women's Crisis Centre
Whyalla Regional Domestic Violence Service
Women's Legal Service SA
Women's Safety Services SA
Yarredi Services
Yarrow Place
Yorke and Mid North Domestic Violence Service
Zahra Foundation Australia

INTRODUCTION

“Whatever laws we have will be only as effective as those who enforce, prosecute and apply them. Improving these practices – through education, training and embedding best practice and family violence expertise in the courts – is likely to be more effective than simply creating new offences”

(State of Victoria 2016, pg. 27)

“The actual reception of coercive control by the justice system is likely to be as much a by-product of administration, enforcement, implementation and interpretation as of guidance received from statutory language”

(Stark 2020, pg. 35)

Embolden welcomes the opportunity to provide input into the Government of South Australia Attorney-General’s Department Discussion Paper on implementation considerations should coercive control be criminalised in South Australia.

Coercive control encompasses a wide range of behaviours and forms of abuse, intended to “hurt, humiliate, intimidate, exploit, isolate and dominate” (Stark 2007, pg. 5) that are implemented as tools in order to exert dominance and control over another person or people. It can be hard to recognise, even for victim-survivors themselves, and the negative impacts can be severe and long lasting, even (and in some cases, particularly) after separation from an abusive relationship.

As Stark and Hester (2019) note, over the past two decades, legislative approaches to coercive control prevention and response have outpaced efforts to build the evidence base and test the model. It is incumbent upon policymakers to proceed cautiously, consult thoroughly, and build in iterative evaluation and consultation across all stages of development and implementation, if such approaches are to safely, equitably and effectively achieve their aims for legal redress, perpetrator accountability and victim-survivor safety.

Embolden is committed to partnering with the State Government, SAPOL, research bodies, other NGOs and stakeholders to improve whole-of-system responses, support and outcomes for victim-survivors of GBV, including those at risk of; experiencing; or recovering from coercive control and related abuses.

DISCUSSION

Awareness raising and engagement

1. What are the key messages that should be communicated about coercive control?

Coercive control, its causes, effects, prevention and response is a complex, highly nuanced and evolving paradigm for those seeking to understand gender-based violence – in particular, what it is; why it occurs; who wields it and is affected by it; where and how it is used, and how to prevent and respond to its prevalence. Significant challenges are faced by policymakers, frontline services, victim-survivors and communities alike in the course of seeking these understandings, not least those surrounding the lack of a common national definition that encompasses the full range of controlling and manipulative behaviours that are weaponised by perpetrators in order to instill in their victim “a condition of entrapment that can be hostage-like in the harms it inflicts on dignity, liberty, autonomy and personhood as well as to physical and psychological integrity” (Stark 2012, p. 7).

Until such a common definition is found and agreed upon, alongside the National Principles on Addressing Coercive Control currently being developed by the Meeting of Attorneys-General (MAG 2021) upon the recommendation of the House of Representatives Standing Committee on Social Policy and Legal Affairs report from its Inquiry into Family, Domestic and Sexual Violence (2021), caution must be recommended as to the development and dissemination of public communication campaigns on the issue of coercive control in order to ensure clarity and avoid confusion among individuals, agencies and communities. It is expected that the establishment of the National Principles will be able to inform a common language and framework for understanding key concepts relating to coercive control, which in turn may provide a solid foundation for education, awareness and public communication initiatives including key messages to be conveyed.

With that caveat in place however, there exist key themes based upon available evidence and building upon the work of experts including specialist women's domestic, family and sexual violence practitioners, gender-based violence researchers and advocates with lived experience that may be immediately adapted and utilised in public messaging initiatives, including:

- That coercive control is a significant issue facing Australia, and prevention and response to coercive control is everyone's responsibility
- That despite the prevalence of coercive control, it is not part of a 'normal' relationship dynamic and is not a feature of any one culture, class, race or other community identity or family/relationship. However, some people are more vulnerable to experiencing coercive control, including First Nations women and children, people with disability, women on temporary visas, pregnant women and women with children. That is, those who are already impacted by intersecting systems and sites of inequality, oppression and marginalisation
- Victim-survivors must not be shamed or blamed for their experiences, and their voices and experiences must be amplified and central to any and all prevention and response initiatives
- Everyone has the right to live their life free of violence, and to enjoy full human rights and autonomy
- Coercive control is gender-based violence
- Children are and must be considered/supported as victims in their own right where coercive control is used in their families

2. What are the best mediums to communicate information about coercive control to your community?

In determining the most effective media mix to communicate information about coercive control to various audiences, close consideration must be given to the unique needs of different communities, including those determined by geography/region and otherwise defined, including First Nations peoples, faith-based, cultural background, LGBTQI+ and other communities of identity. Embolden strongly recommends that further and ongoing consultation be done with identified communities, and that a community engagement framework is developed, implemented with appropriate and sustainable resources, and evaluated with an evaluation report being made publicly available, and acted upon in further iterations of the framework.

Overarching principles recommended by Embolden include that:

- Accessibility of media messages must be central, with particular consideration given to engage people with disabilities, people of non-English speaking backgrounds (NESB), older people and young people
- A community engagement framework should be developed, comprising a considered mix of traditional mass media; new and emerging media technologies including but not limited to social media platforms; resources for community and business leaders, etc to facilitate community responses and discussions; posters, brochures and other promotional and informational materials. Learnings may be considered from multi-behavioural health promotion campaigns, such as smoking cessation and other health interventions (Egger *et al*, 1983)
- Consider using arts and cultural policy levers to promote survivor-led stories and use arts practice as a platform for exploring and unpacking complex narratives and theories of change
- The innovative approaches made by the South Australian State Government, for example in engaging dating app Tinder to deliver the 2021 sexual violence communications campaign, “See it for what it is. Sexual violence” (DHS 2021) is welcomed, and that innovativeness should be extended to future communications campaigns
- Carefully consideration and preparation for risks of adverse outcomes should be undertaken. Mass media campaigns may in the past have contributed to escalation and/or incidences of violence by perpetrators who are angered/threatened by messages. This may especially be pertinent given characteristics of coercively controlling abusers

Education and training for first responders, the legal sector and service providers

3. How is coercive control understood by you and more broadly within your community?

Coercive control is a pattern of controlling and manipulative behaviours and “acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim” (Women’s Aid 2020, pg. 1). It is not a ‘type’ of domestic, family and intimate partner violence (Stark & Hester 2019), rather, it is a redefinition of the key ways in which we understand the nature and pattern of behavior present within violent relationships and the power relationships it creates. Physical violence, emotional, financial, and psychological and other forms of abuse cannot be seen as separate ways in which DFV is experienced.

Coercive control describes the way in which these expressions of abuse are used and woven together in relationships that disempower and undermine victim-survivors’ perception of the human rights violations that are occurring. Such behaviours are “often very direct expressions of key underlying drivers of family violence and violence against women, particularly in regard to rigid gender stereotypes, men’s control of decision making and limits to women’s independence and an inappropriate sense of entitlement” (Respect Victoria 2021, pg. 1). This encompasses violation of physical integrity; denial of respect and autonomy; isolation; and ultimately stripping away all vestiges of autonomy, liberty and personhood (Stark 2007).

It is here worth noting that the evidence base and driving force behind recognition, prevention and response of coercive control remains firmly situated within an intersectional feminist praxis since its popular definition by Evan Stark (2006, 2007), building upon the work of (amongst others) Dobash & Dobash (1979), Herman (1992), Jones (1994), Pence & Paymar (1993) and Johnson (1995). The literature in an Australian context is greatly strengthened by the contributions in particular of Fitz-Gibbon, Walklate & Meyer, and McMahon & McGorry and the work of ANROWS and the Monash Gender and Family Violence Prevention Centre.

More broadly however, foundational concepts such as coercive control being driven by gender inequality and intersecting forms of oppression are still not generally well understood (Webster *et al*/2018). Neither are the ongoing impacts of trauma and retraumatisation often experienced by victim-survivors.

4. If it were made an offence, what might this mean to you and the people around you?

The creation of a criminal offence(s) addressing coercive control holds potential for both positive and harmful outcomes for victim-survivors, as well as those who support them in a service capacity and within the broader community. On one hand, some victim-survivors may be able to access enhanced legal, economic and other systemic protections and outcomes. On the other, criminalisation of coercive control could lead to “harmful unintended consequences for victim-survivors (Maturi & Munro 2020), particularly those who already have experienced poor or otherwise compromised justice system responses, including First Nations women and their communities (Douglas & Fitzgerald 2018), women with disabilities (McVeigh 2015), LGBTIQ+ people, CALD communities, including migrant and refugee women (Judicial College of Victoria 2011), and women from lower socio-economic backgrounds” (Embolden 2021, pp 15-16)

A powerful protective factor against such harmful unintended consequences may be found in the adoption and development of a ‘coercive control framework’ as defined by Stark, which “[identifies] a singular malevolent intent to dominate, whatever the interplay of the means deployed to instil fear of resistance/refusal and/or dependence/incapacitation. Properly drawn, *coercive control sets physical and sexual violence against women in the context of myriad complementary nonviolent coercive and controlling tactics* that make the serious criminal intent to dominate coherent over time and across social space.” (Stark 2020, pg. 40, emphases added). Such a framework is a paradigm shift from a ‘violence model’ which views the severity of abuse through a prism of episodic violence, rather than chronic harm caused by sustained abusive behaviours (Stark 2012).

5. If you were concerned about the use of coercive control as an individual, or on behalf of someone else, what systems and services would you approach for support or advice?

The SWDFVS sector -- encompassing domestic, family and sexual violence, women's health and legal services in particular -- has developed, maintained and refined the knowledge, skill and competence required to tailor service responses for victim-survivors of coercive control that apply a safety first principle and coercive control framework. These systems and services need to be adequately resourced and supported to deliver those services comprehensively and equally for women, non-binary people and children accessing assistance now and into the future. Embolden believes that the role of the specialist women's service sector is vital in South Australia's response to coercive control and as a member of the Australian Women against Violence Alliance (AWAVA), have developed a Policy Brief to that effect, stating that:

"These services know how to plan for safety and assess complex and changing risks; they advocate for and with victims/survivors and support them to navigate complex systems; they understand the dynamics of violence and the impacts of trauma; and they use principles of empowerment and client-centred approaches to support women and their children to recover from the impacts of violence and trauma. These services have led prevention efforts and created men's behaviour change programs that hold women's and children's safety at their core. Specialist services contribute to social change using their on-the-ground knowledge of women's experiences" (AWAVA 2016)

In addition to place-based SWDFSV services, further key systems and services available for support and advice for victim-survivors of coercive control, their friends and family, by-standers and other concerned parties include:

- Support, counselling and referrals available through 1800 RESPECT (hotline and web-based support) and the South Australian Domestic Violence Crisis Line (DVCL)
- SAPOL, including specialist FDV units and the Domestic Violence Disclosure Scheme (DVDS)
- Specialist perpetrator intervention services including but not limited to men's behavior change programs
- Lived experience advocacy and/or support groups

6. What education and training is needed to improve the justice sector's understanding of coercive control and detect, investigate and prosecute coercive control appropriately?

In order to safely and effectively implement coercive control legislation, it is crucial that specialist justice sector education and training is made available, that is trauma-informed and evidence-based, developed and delivered by specialist women's led services from an intersectional feminist framework, and co-designed by victim-survivors. Such training may possibly be modelled after the Domestic Abuse (DA) Matters Scotland, the SafeLives UK/Police Scotland training program for law enforcement, which incorporates a 'Health Check', Train the Trainer course, Senior Leaders workshop and both intensive and on the job e-learning and face to face training for police officers and staff. The program is geared towards effecting mass behavioural change among the police force, training and deploying "Domestic Abuse Matters Champions" to lead change and support their colleagues (SafeLives 2020).

Specific topics, themes and modules of education and training which Embolden recommends include:

- Recognising and responding to coercive control, including questioning of victims and identification of perpetrator tactics to control victim-survivors and manipulate first responders and others
- Identifying the primary aggressor and predominate victim-survivor, as the impact of a criminal conviction for victim-survivor can have long lasting impact -- not just in relation to any one particular legal interaction, but with regards to family court and child protection proceedings, impact on employment, access to housing, mental health and other potentially devastating adverse outcomes
- Complex causes and consequences of DFSV
- Specialised training in interpreting legislation, admissibility of evidence, prosecuting and sentencing
- Cultural capability, accessibility and safety, developed and delivered by ACCOs, DPOs and CALD services working within the SWDFSV sector with appropriate funding and resources made available for this work
- Integration of any new legislation with existing laws and legal processes, including IOs, family law and child protection
- Compassion fatigue, burnout and vicarious trauma
- Public acknowledgement for excellence in practice within the sector
- Professional community of practice and accreditation framework

- Access to specialised education and training through e.g. ANROWS, Our Watch, Monash Gender and Family Violence Prevention Centre, NTV and bespoke offerings from the SWDFSV sector
- WESNET-provided training for magistrates and law enforcement on the impact of DFSV and technology, particularly around technology-facilitated abuse

7. What education and training is needed for organisations that work with victim-survivors and perpetrators of coercive control e.g. in health, housing, education, etc?

As for the legal and justice sector, in order to safely and effectively implement new and existing legislation relating to coercive control in South Australia, and more broadly to improve prevention and response initiatives within a whole-of-system approach, it is crucial that specialist education and training is made available to service providers working with both victim-survivors and perpetrators of coercive control, that is:

- Trauma-informed and evidence-based
- Developed and delivered by specialist women's led services from an intersectional feminist framework, and
- Co-designed by victim-survivors

Specific topics, themes and modules of education and training which Embolden recommends include:

- Recognising and responding to coercive control
- Complex causes and consequences of DFSV
- Referral pathways
- Cultural capability, accessibility and safety, developed and delivered by ACCOs, DPOs and CALD services working within the SWDFSV sector with appropriate funding and resources made available for this work
- Primary prevention including but not limited to respectful relationships programming for education settings
- Reporting obligations, processes and outcomes
- Compassion fatigue, burnout and vicarious trauma
- Mainstream relationship counselling and mediation services in particular should receive education and training to recognise and refer to specialist services
- Public acknowledgement for excellence in practice within the sector
- Professional community of practice
- Access to specialised education and training through e.g. ANROWS, Our Watch, Monash Gender and Family Violence Prevention Centre, NTV and bespoke offerings from the SWDFSV sector

Support services for victim-survivors

8. What types of coercive control services should be prioritised?

More and more women are recognising themselves as victims/survivors of coercive control and seeking supportive measures for their own and their children's safety, at least in part as a result of unprecedented levels of government and community commitment to domestic and family violence and women's safety prevention and response. However, due to chronic underfunding of specialist women's domestic and family violence services (SWDFVS) at the front end of this crisis, there is no guarantee that their efforts to seek help will result in the delivery of the targeted and purpose-specific care they need.

Services which should be immediately prioritised in order to address coercive control prevalence and its effects include:

- Specialist women's legal services with expertise and insight into systems abuse as a common tactic used by perpetrators, in many cases continuing years post-separation
- Specialist services for mothers and children, recognising children as victim-survivors in their own right
- Specialist women and non-binary led DFSV Police units
- Early intervention supports and services
- Culturally appropriate and accessible supports and services
- Lived experience support and advocacy
- Place-based services particularly supporting victim-survivors in regional, rural and remote communities

9. Are there any gaps in the services currently available to victim-survivors of coercive control?

As addressed in more depth below in response to Question 10, a sustained lack of sustainable, adequate funding for specialist services has been a leading contributor to gaps in services currently available to victim-survivors of coercive control. In particular, the SWDFSV sector has identified crucial gaps in service delivery and supports for victim-survivors facing intersecting forms of oppression, marginalisation and inequality.

Priority areas to address these gaps include:

- Specialist services for marginalised communities, including but not necessarily limited to Aboriginal and Torres Strait Islander peoples, LGBTQI+ community, CALD, migrant and refugee communities (particularly for women on TPVs), people with disability, children and young people, older people, those in regional, rural and remote settings (Embolden 2020)
- Support and services for victim-survivors who face barriers to mainstream service and justice responses, and/or may not wish to commence legal proceedings relating to their experiences of coercive control
- Prevention, early intervention and recovery
- Financial support
- Safe and appropriate housing with suitable exit points from crisis system
- Adequately funded, collaborative services for victim-survivors and corresponding perpetrator interventions – a bridge that enables collaboration in a solely funded collaborative model, not reliant on homelessness as a response. The SA service system utilises the Information Sharing Guidelines (ISG), but without the funded services and workforce required to provide the levels of response suitable and required in many circumstances (if not all)

10. Are there any current specialist and mainstream service providers that could improve and/or tailor their current services for victim-survivors of coercive control?

Given the current dynamic state of play of research and practice into addressing coercive control, there are significant opportunities for all service providers, both specialist and mainstream, to build upon the evidence base and improve service offerings to victim-survivors of coercive control. In order to improve upon and tailor such services within a coercive control framework, Embolden recommends governments of all Australian jurisdictions increase funding to specialist women's and culturally specific services that meet the standards the Australian Women Against Violence Alliance (AWAVA) has set out, which stipulate:

- A rights-based approach
- Advancing gender equality and women's empowerment
- A client-centred approach
- Women's safety is central
- Perpetrator accountability
- Accessible culturally-appropriate and sensitive services

Further to this recommendation, Embolden shares support for the development and adoption of good practice standards by all services working with women and children in South Australia facing violence, led by the specialist women's services sector, building on work already done by peak bodies and others in this area. Examples include:

- NASASV Standards of Practice for Services Against Sexual Violence¹
- DV Vic Code of Practice²
- DV NSW Good Practice Guidelines³
- AWAVA Policy Brief on the Role of Specialist Women's Services⁴

¹ Can be accessed here: http://www.nasasv.org.au/PDFs/NASASV_Standards_2nd_Edition_2015.pdf

² Can be accessed here: <https://safeandequal.org.au/wp-content/uploads/DV-Vic-Code-of-Practice-V2-FINAL.pdf>

³ Can be accessed here: <http://dvnsw.org.au/wp-content/uploads/2017/08/DFV-Practice-Guidelines.pdf>

⁴ Can be accessed here: <https://awava.org.au/2016/04/07/research/role-specialist-womens-services-australias-response-violence-women-children>

Appropriate responses to and for coercive control perpetrators

11. What types of perpetrator services should be prioritised?

As with supports and services for victim-survivors of coercive control, perpetrator services, including men's behavioural change programs and other interventions, are in need of greater investment in order to improve and fill gaps to service offerings (ANROWS 2020).

In particular need of prioritisation are:

- Specialist perpetrator intervention services for marginalised and diverse communities, including First Nations, LGBTQI+, CALD and migrant/refugee men, young men and those in rural, regional and remote locations
- Services that are evidence-led and that adhere to the principles of the National Outcome Standards for Perpetrator Interventions (NOSPI), namely:
 - Women and their children's safety is the core priority of all perpetrator interventions
 - Perpetrators get the right interventions at the right time
 - Perpetrators face justice and legal consequences when they commit violence
 - Perpetrators participate in programmes and services that change their violent behaviours and attitudes
 - Perpetrator interventions are driven by credible evidence to continuously improve
 - People working in perpetrator intervention systems are skilled in responding to the dynamics and impacts of domestic, family and sexual violence (AIHW 2021)
- Services that are connected to the specialist women's-led service sector
- Services connected to the Family Court system
- Opportunities for early interventions prior to a criminal justice response, where able to be identified and available
- Services while on remand, ideally intercepted within 48-72 hours of incident/arrest

- Perpetrator housing support and services, delivered alongside corresponding funding for victim-survivor services to support women to remain in their own home

12. Are there any gaps in the services currently available to perpetrators of coercive control?

Related to the above discussion of perpetrator service priorities, specialist perpetrator behaviour change programs and services need to be better resourced to connect with relevant departments and agencies, and to lead consistent, constructive approaches to perpetrator intervention and behaviour change models.

Current gaps in service offerings for perpetrators of coercive control include:

- Specialist perpetrator intervention services for marginalised and diverse communities, including First Nations, LGBTQI+, CALD and migrant/refugee men, young men and those in rural, regional and remote locations
- Housing and homelessness services, particularly affordable, accessible, culturally safe and appropriate accommodation solutions
- Better opportunities to identify perpetrator behaviour on the common risk assessment tool, if there is no connection with the victim-survivor at the point of assessment – i.e., from the perpetrator intervention aspect, whether there has been criminal justice response or not, to identify risks and then be able to provide this information as appropriate under ISG
- Voluntary and alternative programs, including early intervention and education, that operate independently from the criminal justice system (CJS) response
- Father specific responses, particularly in relation to DCP matters, that provide opportunities to address and understand impacts of perpetrator behaviour on children

13. Are there any current specialist and mainstream service providers that could improve and/or tailor their current services for perpetrators of coercive control?

In addition to the principles set out in Question 10 above, specialist and mainstream service providers working with perpetrators of coercive control that may improve and/or tailor their current service offerings within a coercive control framework and with reference to the NOSPI include:

- All perpetrator service providers and agencies across intervention systems as identified in the SA DFV Perpetrator Intervention Systems Map (Upton-Davis & Chung 2020), particularly those working within the Family Safety Framework (FSF) and Multi-agency Protection Service (MAPS)
- Services and supports provided by OARS Community Transitions 'Don't Become That Man' program to be re-funded
- Implementation of waitlist support/intervention/accountability and more detailed case management – not attendance management – services within the Courts Administration Authority (CAA) Abuse Prevention Program
- After-program support for those mandated (and not) to attend programs, to check in on progress, and re-refer for additional support as required
- Opportunities for the Centre for Restorative Justice to formulate and pilot the implementation of well-structured, trauma-informed and victim-survivor-led restorative conference and supports
- Increased therapeutic community intervention programs (such as those provided by OARS Community Transitions) for perpetrators and incorporation of increased intervention opportunities for the Crisis Accommodation Program (CAP)
- Increased referral pathways and community engagement to raise awareness for perpetrator services that promote intervention and CAP opportunities
- Aligned with needs for the SWDFSV sector, a fully funded connected approach to early intervention that doesn't revolve around homelessness

FURTHER CONSIDERATIONS/CONCLUSION

14. Is there anything else that should be considered as part of implementing a criminal offence relating to coercive control?

Many, if not all of the above recommendations and discussion remain relevant whether or not (or when) perpetration of coercive control does become a criminal offence in South Australian law. These systemic and cultural reforms remain necessary and will serve to strengthen the legal and justice responses already in place to protect victim-survivors.

Our position, detailed in our Position Paper on Coercive Control and the Law in South Australia (Embolden 2021) stands that critical steps remain yet to be taken before new coercive control legislation is introduced, including referring the matter of coercive control's place in law to SALRI, to report on the potential benefits, risks and other consequences of introducing new legislation, and review existing legislation and processes including the efficacy of intervention orders, with clear and evidence-based recommendations and pathways to action. Further, Embolden encourages close consideration of the findings and recommendations from the forthcoming *Powerful Interventions* research report undertaken by the University of South Australia and Uniting Communities into the intervention order system in SA, with particular reference to implications for coercive control legislation implementation.

We reiterate the need for all processes, services and initiatives to be trauma-informed and survivor led, with ongoing consultation and co-design by victim-survivors and affected marginalised communities which must be underpinned by principles of empowerment, diversity, inclusion and operate within a human rights framework -- victim-survivors and perpetrators must face no wrong door, but no one-size-fits-all approaches either when it comes to services, systems and supports.

Finally, we urge that more research must be done and the evidence base must continue to be heard and incorporated at every step along the path to improving supports and outcomes in the prevention and response to coercive control in our communities: "At a minimum, qualitative and quantitative research is needed to clarify the interplay of violent, merely coercive, and psychological dimensions of this form of abuse in different population and relational contexts; specify which elements of coercive control, either separately or through their combination, elicit which outcomes and for whom; determine which elements/effects are contingent on preexisting status vulnerabilities (such as inequality) and which are relationship or context-

specific; and map the survival, coping, resistance, and accommodation strategies as victimized partners (and children) craft “space for action” in the face of tyranny. The most obvious evidence of “control” is provided by abusive tactics, such as “he monitored my time” or “denied me money.” But in the most vulnerable populations—undocumented women or women of color, for instance—individual deprivations are confounded by economic inequalities, cultural bias, and institutional barriers that have yet to be integrated into the model of harm, a process that Ptacek (1999) called social entrapment” (Stark & Hester 2019, pg. 88)

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