

Crimes Legislation Amendment (Coercive Control) Act 2022

Interim Report

December 2024

18 December 2024

The Hon. Michael Daley, MP
Attorney General
GPO Box 5341
SYDNEY NSW 2001

Dear Attorney General

Interim report of the Implementation and Evaluation Taskforce for the coercive control reform

The Implementation and Evaluation Taskforce (**the Taskforce**) constituted by section 54I(1) of the *Crimes Act 1900*, and of which I am the Chairperson under section 54I(2)(a), makes this report to you as per your correspondence dated 18 April 2024. The report addresses your request to identify any major challenges or issues in the early stages of the operationalisation of the coercive control reform, including the offence of 'Abusive behaviour towards current or former intimate partners' at section 54D (the **coercive control offence**).

The Taskforce has reviewed detailed data from the Bureau of Crime Statistics and Research (**BOCSAR**) and consulted with its Reference Groups. While no major challenges or issues have been identified, there is a clear need for ongoing community education about the nature of the coercive control offence and for continued training, both of which are occurring.

The Taskforce will continue to monitor the offence and consider advice from Reference Groups, next reporting in July 2025.

Yours sincerely,

Michael Tidball
Secretary
Department of Communities and Justice

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Introduction

The NSW Parliament passed the *Crimes Legislation Amendment (Coercive Control) Act 2022* (the **Act**) on 16 November 2022, and the Act received assent on 23 November 2022.

The Act established the Implementation and Evaluation Taskforce (the **Taskforce**) on 1 December 2022, under section 54I of the *Crimes Act 1900* (the **Crimes Act**). The Taskforce is supported by sector-specific Reference Groups.

The Act introduced a statutory definition of ‘domestic abuse’ in the *Crimes (Domestic Personal Violence) Act 2007*, which commenced on 1 February 2024.

The Act also introduced a standalone offence of ‘Abusive behaviour towards current or former intimate partners’ (the **coercive control offence**) in section 54D of the Crimes Act, which is punishable by up to seven years imprisonment. The offence applies where an adult engages in a course of conduct that is abusive behaviour against a current or former intimate partner, with the intention of coercing or controlling that person, and where a reasonable person would consider that the conduct would be likely to cause a fear of violence or to have a serious adverse impact on the capacity to engage in day-to-day activities. The coercive control offence commenced on 1 July 2024, in accordance with the Act, and followed a 19-month implementation period.

The Act requires the Taskforce to oversee the implementation, and monitor the operation of, the coercive control reform.

Taskforce reporting

The Taskforce reported in relation to its main purposes (under section 54I(3) of the Crimes Act) three times in the period between December 2022 and July 2024.¹ These reports are available on the Department of Communities and Justice website.² The Taskforce is also required to report at least every 12 months after the coercive control offence commences. The Attorney General must table the reports in each House of Parliament within 21 days after receipt.³

In addition to those reports, the Attorney General asked the Taskforce to provide an ‘interim report’ by December 2024 on any major challenges in the early stages of the offence’s operation. This report fulfills that request.

Recent Taskforce and Reference Group activity

Since 1 July 2024, when the coercive control offence commenced, the Taskforce has considered its forward workplan, and the governance needed to support that workplan. The Attorney General has

¹ *Crimes Act 1900* (NSW) section 54I(8).

² NSW Government, ‘Coercive control Implementation and Evaluation Taskforce’, *Communities and Justice* (Web Page) <<https://dcj.nsw.gov.au/children-and-families/family-domestic-and-sexual-violence/police--legal-help-and-the-law/criminalising-coercive-control-in-nsw/coercive-control-implementation-and-evaluation-taskforce.html>>.

³ *Crimes Act 1900* (NSW) section 54I(9).

appointed additional Taskforce members and approved governance arrangements for the Reference Groups, which advise the Taskforce in accordance with section 54I(5) of the Crimes Act. These arrangements recognise that the tasking of Reference Group members has moved from advice on implementation through to monitoring the operation of the reform.

From 2025, the Taskforce and Reference Groups will monitor the operation of the offence in accordance with the updated governance arrangements (see pages 8-13 and **Appendix 3** of this report).

Early operation of the coercive control offence

The Bureau of Crime Statistics and Research (**BOCSAR**) has published three reports, including two preliminary reports, on coercive control offence data.⁴ The quarterly monitoring report covers July to September 2024. In this period, there were 76 recorded reports of coercive control to police, which resulted in one legal action for the coercive control offence and 28 other legal actions.

The Taskforce has further considered advice from the existing Reference Groups⁵ on the early operation of the offence (pages 16-21). Given the short period of the offence's operation, most Reference Groups have not identified any matters of concern relating to the coercive control offence in practice. However, some members have advised of difficulties in reporting alleged occurrences of coercive control to police.

These instances may reflect an ongoing need for community education on the elements of the offence and the necessity of continuing police training. Both actions are outlined in this report (pages 22-24).

Some other members made submissions (see pages 17-21) relating to the broader legislative framework and matters considered during implementation. Insofar as matters related to the construction of the offence, it remains too soon to determine whether there is any urgent need to amend the offence. There is yet to be any judicial consideration of the elements of the offence, and the current settings were endorsed by the NSW Parliament. The legislative framework will be examined as part of the statutory reviews required under section 54J. The first statutory review is to commence in July 2026. This will provide adequate time for judicial consideration, and further discussion with participants about whether recommendations should be made to Government to bring forth any amendments that impact on the current offence settings.

Domestic Violence NSW (**DVNSW**) undertook a survey of their members to elicit any on the ground feedback on the early operation of the offence. DVNSW recommended, based on the survey results, further ongoing community education and frontline sector training, and also canvassed the construction of the offence.

The Taskforce thanks all Reference Group members and DVNSW members for engaging in this early process. The commentary received is extremely useful to understanding the early operation of

⁴ NSW Government, NSW Bureau of Crime Statistics and Research, Domestic Violence < <https://bocsar.nsw.gov.au/topic-areas/domestic-violence.html> > (retrieved 21 November 2024).

⁵ NSW Government, Department of Communities and Justice, *Crimes Legislation Amendment (Coercive Control) Act 2022 Statutory Report* (June 2024). <<https://dcj.nsw.gov.au/documents/children-and-families/family-domestic-and-sexual-violence/police-legal-help-and-the-law/crimes-legislation-amendment-coercive-control-act-2022-statutor-.report.pdf> > (retrieved 9 September 2024).

the offence, and the potential areas for the Taskforce to focus on during this critical monitoring phase. Data on the offence, further implementation activity and issues raised by stakeholders will continue to be monitored by the Taskforce, in consultation with its Reference Groups, for advice to the Attorney General.

This report outlines:

- Governance for monitoring the offence (pages 8-13)
- Data on offence operation (pages 14-15)
- Reference Group advice on early offence operation (pages 16-21)
- Continued training and community awareness (pages 22-24)
- The Taskforce's advice on evaluation of offence implementation (pages 24-25)
- Qualitative research related to the reform (pages 26-27)
- The matters which will be considered for the statutory reviews (pages 25-26 and **Appendix 2**).

These continued activities will support the Taskforce in its role to monitor and advise the Attorney General on the coercive control offence.

The Taskforce will next report in July 2025 in accordance with section 54I(8) of the Crimes Act.

Implementation and Evaluation Taskforce

Introduction

Under the *Crimes Legislation Amendment (Coercive Control) Act 2022* (the **Act**), the Attorney General was required to establish an Implementation and Evaluation Taskforce (the **Taskforce**), to convene within one month of the commencement of section 54I of the *Crimes Act 1900* (**Crimes Act**). Section 54I commenced on 1 December 2022.

Section 54I(2) prescribes that the Taskforce:

- is chaired by the Secretary of the department in which the *Crimes Act 1900* is administered, being the Secretary of the Department of Communities and Justice (**DCJ**), and
- is constituted by a representative from the NSW Police Force, the chair of the NSW Domestic and Family Violence and Sexual Assault Council, and a member from the domestic and family violence sector with substantial expertise and experience in domestic and family violence service delivery (the **statutory members**).

The Taskforce was established from December 2022 and was constituted by appointment of the then Attorney General. Membership includes the statutory members required under section 54I(2) and member agencies from other relevant areas of Government.⁶

The main purposes of the Taskforce are prescribed by section 54I(3). The Taskforce oversees the implementation of the coercive control offence and is to consult with stakeholders about the offence, provide advice about, and monitor, training, education and resourcing in relation to the offence, and provide advice about consequent commencement dates for the offence and the domestic abuse definition. Following commencement, the Taskforce is to evaluate the implementation of the offence and monitor its operation and resourcing.

Governance for implementing the coercive control reform

As noted on page 4, the coercive control offence commenced on 1 July 2024 following a 19-month implementation period. For the implementation phase, the Taskforce established a three-stream workplan, which reflected the main purposes of the Taskforce under section 54I(3):

- **Stream 1 - Training and education:** dedicated training and education on coercive control reform by justice agencies.
- **Stream 2 - Operational systems:** updates to government operational systems.

⁶ Membership at the time this report was prepared is as detailed in: NSW Government, Department of Communities and Justice, *Crimes Legislation Amendment (Coercive Control) Act 2022 Statutory Report* (June 2024) < <https://dcj.nsw.gov.au/documents/children-and-families/family-domestic-and-sexual-violence/police-legal-help-and-the-law/crimes-legislation-amendment-coercive-control-act-2022-statutor-.report.pdf> > (retrieved 9 September 2024).

- **Stream 3 - Community awareness:** Awareness raising among the general community and in First Nations communities and multicultural communities.

Section 54I(5) of the Crimes Act requires the Taskforce to establish Reference Groups to ‘consider and provide advice and recommendations to the Taskforce’ about the impact of the coercive control legislation on specific communities and on particular elements of the legislation. Section 54I(6) of the Crimes Act prescribes that Reference Groups are to consist of members who have expertise in, or legal knowledge of, the subject matter for which the Reference Group is established. It also provides examples of sectors and organisations which could make up the Reference Groups:

the domestic and family violence sector, the legal profession, the Judicial Commission of NSW, Aboriginal organisations and groups, the culturally and linguistically diverse sector, LGBTIQIA+ groups, the disability sector, youth and children’s groups, victims and survivors of sexual or domestic and family violence and the families of victims and survivors.⁷

Section 54I(7) of the Crimes Act requires the Taskforce to consult with any Reference Group on matters relevant to their particular purpose.

In the implementation phase, the Taskforce formed and consulted 10 sector-specific Reference Groups, which were each chaired by a Taskforce member. These were the: Domestic and Family Violence (DFV) Service Delivery; Lived Expertise; First Nations Communities; Culturally and Linguistically Diverse Communities; Children and Youth; LGBTIQIA+; People with Disability; Older Persons, Government; and Legal.

Further detail about the Taskforce’s implementation activities is set out in its previous reports, available on the Department of Communities and Justice website.⁸

Governance for monitoring the coercive control reform

Following the commencement of the offence, the Taskforce is required to evaluate the implementation of the offence, monitor the offence’s operation, and report back to Government.⁹ The Taskforce recommended to Ministers to modify its governance for this monitoring phase, to take effect from 2025.

Table 1 outlines the Taskforce’s statutory members and additional member agencies for 2025.

Table 1: Taskforce Members		
Statutory members appointed under section 54I(2)	Current role	Changes in role for 2025
Secretary, DCJ (Chairperson)	Section 54I(2)(a): The Secretary of the department in which the Crimes Act is administered, who is to be the chairperson of the taskforce.	No change.

⁷ Crimes Act 1900 (NSW) s 54I(6).

⁸NSW Government, ‘Coercive control Implementation and Evaluation Taskforce’, *Communities and Justice* (Web Page) <<https://dcj.nsw.gov.au/children-and-families/family-domestic-and-sexual-violence/police-legal-help-and-the-law/criminalising-coercive-control-in-nsw/coercive-control-implementation-and-evaluation-taskforce.html>>.

⁹ Crimes Act 1900 (NSW) s 54I(3)(d)-(e), (8)(b).

Table 1: Taskforce Members

Deputy Secretary, Strategy, Policy and Commissioning, DCJ and Chair of the Domestic and Family Violence and Sexual Assault Council (Deputy Chairperson)	Section 54I(2)(c): Chair of the Domestic and Family Violence and Sexual Assault Council. Chairperson of the People with Disability, Older Persons and Government Sector Reference Groups.	Chairperson of the Community Sector Specialists [<i>Older Persons, People with Disability and Children and Youth</i>] Reference Group.
Assistant Commissioner, NSW Police Force	Section 54I(2)(b): A representative of the NSW Police Force.	No change.
Annabelle Daniel OAM, Chief Executive Officer, Women’s Community Shelters and Chair, Domestic Violence NSW (Independent member)	Section 54I(2)(d): Member from the domestic and family violence (DFV) sector with substantial expertise and experience in DFV service delivery. Chairperson of the DFV Service Delivery and Lived Expertise Reference Groups.	DFV Service Delivery Reference Group Chairperson. Manage Taskforce engagement with people with lived expertise of domestic abuse.
Government member agencies	Current role	Role from 2025
Deputy Secretary, Aboriginal Affairs NSW, Premier’s Department	To advocate on behalf of, and guide Taskforce engagement with, First Nations communities. First Nations Communities Reference Group Chairperson.	No change.
Chief Executive Officer, Multicultural NSW	To advocate on behalf of, and guide Taskforce engagement with, culturally and linguistically diverse communities. Culturally and Linguistically Diverse Communities Reference Group Chairperson.	No change.
Deputy Secretary, Health System Strategy and Patient Experience, NSW Health	To lead on intersections with NSW Health service delivery and policy. LGBTQIA+ Reference Group Chairperson.	No longer leading reference group.
Executive Director, Criminal Law, Legal Aid NSW	To provide criminal law expertise. Legal Reference Group Chairperson.	No change.
Executive Director, Health and Stronger Communities, NSW Treasury	To advise on resourcing proposals and whole-of-government strategy.	No change.
Executive Director, Social Policy, The Cabinet Office	To lead on intersections with whole-of-government strategy. Children and Youth Reference Group Chairperson.	No longer leading reference group.
Women’s Safety Commissioner (joined April 2024)	To lead on intersections with the NSW DFV Plan and NSW Women’s Safety Commissioner Strategic Plan.	To connect the Taskforce with the DFSV Lived Experience Advisory Body which will inform NSW government policy, programs and initiatives.
Executive Director, Bureau of Crime Statistics and Research (to join 2025)	N/A	To provide data and evaluation expertise. Present quarterly monitoring reports on the offence.

Table 1: Taskforce Members

		Advise on regional trends.
Deputy Secretary, Law Reform and Legal Services, DCJ (to join 2025)	N/A	To provide criminal justice systems, legal and law reform expertise. Advise on intersecting systems, areas of concern and law reform. Government Reference Group Chairperson.
Executive Director, Transforming Aboriginal Outcomes, DCJ (to join 2025)	N/A	To provide expert advice on the experiences of First Nations communities in the criminal justice system.

As detailed in **Table 2**, the Taskforce will be informed by six Reference Groups in 2025. The refined Reference Groups were formed following a survey on members’ interest in remaining engaged with the coercive control reform, and preferences for engagement frequency and methods.

The LGBTQIA+ Reference Group made valuable contributions to the development of community awareness campaigns, agency training and education and the design of the Bureau of Crime Statistics and Research (BOCSAR) monitoring report.¹⁰ In line with the group’s feedback to the Taskforce Secretariat, the group will no longer convene as a standalone group in 2025. Members will be invited to join other Reference Groups.

The Lived Expertise Reference Group has been an active and valuable group, chaired by the Independent Member of the Taskforce. Members provided insights that enhanced training material of police, legal practitioners, and the judiciary.¹¹ Members also shared their stories to inform the community awareness campaigns and promoted the campaigns. The work of this group evidences the value to Government in including the voices of people with lived experience in the development and implementation of relevant reforms.

In consultation with the Chairperson of the Lived Expertise Reference Group, it has been determined that the group will no longer convene as a standalone group in 2025. This reflects the change in focus of Reference Groups from advising on implementation to advising on the operation of the new coercive control offence, as it proceeds through the criminal justice system.

Members of the Lived Expertise Reference Group have experienced domestic abuse prior to the introduction of the new offence. The members are drafting an open letter to Government and the community on their journey in implementing the reform, and this letter will be published in the Taskforce’s report in July 2025.

Members of the Lived Expertise Reference Group will continue to directly participate in monitoring of coercive control reform through a standing invitation to annual forums for Taskforce and Reference

¹⁰ NSW Government, Department of Communities and Justice, *Crimes Legislation Amendment (Coercive Control) Act 2022 Statutory Report* (December 2023). <https://dcj.nsw.gov.au/documents/children-and-families/family-domestic-and-sexual-violence/police-legal-help-and-the-law/December_2023_Taskforce_statutory_report.pdf> (retrieved 25 November 2024).

¹¹ NSW Government, Department of Communities and Justice, *Crimes Legislation Amendment (Coercive Control) Act 2022 Statutory Report* (June 2024). <<https://dcj.nsw.gov.au/documents/children-and-families/family-domestic-and-sexual-violence/police-legal-help-and-the-law/crimes-legislation-amendment-coercive-control-act-2022-statutor-report.pdf>> (retrieved 25 November 2024).

Group members on the operation of the offence. Members will be invited to continue to receive BOCSAR data directly, and will also be invited to raise any issues or areas of interest with the Independent member or to the Taskforce Secretariat.

The Women’s Safety Commissioner is further consulting to form a DFSV Lived Experience Advisory Body to inform NSW government policy, programs and initiatives. The Taskforce can seek to consult with the new advisory body as it monitors the operation of the coercive control reform.

Lived experience more broadly will also inform the monitoring of coercive control reform, including via:

- Victim-survivors’ experiences being reported by the sectors represented on reference groups and the Independent Taskforce member.
- Planned qualitative research on the experiences of DFV (including coercive control) victim-survivors as per the Taskforce’s new workplan (see pages 26-27).
- Calls for submissions from members of the public in future statutory reviews.

Table 2: Reference Groups from 2025

Name and Chairperson	Role
DFV Service Delivery Chair: Independent member	To provide expertise, advice and recommendations to the Taskforce about the impact of the offence in the DFV sector, including impacts on specific communities as per section 54I(5).
Government Chair: Deputy Secretary, Law Reform and Legal Services, DCJ	To provide expertise, advice and recommendations to the Taskforce about the impact of the offence on the criminal justice and intersecting systems, including impacts on specific communities as per section 54I(5). The group will consider resourcing, training and education for advice to the Taskforce (s54I(3)) in addition to cases and emerging issues.
Legal Chair: Executive Director, Criminal Law Division, Legal Aid NSW	To provide legal expertise, advice and recommendations to the Taskforce about the practical operation of the offence and emerging issues, including impacts on victim-survivors and specific communities as per section 54I(5).
Community Sector Specialists [former Older Persons, People with Disability and Children and Youth] Chair: Deputy Secretary, Strategy, Policy and Commissioning, DCJ	To provide expertise, advice and recommendations to the Taskforce about the impact of the offence in the community sector, including impacts on specific communities as per section 54I(5).
First Nations Communities Chair: Deputy Secretary, Aboriginal Affairs NSW, Premier’s Department	To provide expertise, advice and recommendations to the Taskforce about the impact of the offence on First Nations people.
Culturally and Linguistically Diverse (CALD) Communities Chair: CEO, Multicultural NSW	To provide expertise, advice and recommendations to the Taskforce about the impact of the offence on CALD communities.

Governance structure from 2025

Section 54I(3)(f) of the Crimes Act requires that the Taskforce provide advice to ‘the Minister’. This refers to the Attorney General of NSW.

The Taskforce is chaired by the Secretary of the Department of Communities and Justice. The Secretary is also the chairperson of the NSW Domestic, Family and Sexual Violence Board, which oversees the implementation of the recommendations made by the Joint Select Committee on Coercive Control.¹² Accordingly, the Secretary is the conduit between the Taskforce and the Board, ensuring that information flows between the two bodies.¹³

The Secretary, as Chairperson of the Taskforce, appointed the statutory member who is the Chairperson of the NSW Domestic and Family Violence and Sexual Assault Council as the Deputy Chairperson of the Taskforce. This ensures an information flow between the Taskforce and Council, as determined by the Chairperson and Deputy Chairperson, to support monitoring the coercive control offence in NSW.

As noted above, from 2025, there will be six Reference Groups, and each group is chaired by an appropriate member of the Taskforce. This ensures that discussions and advice from Reference Groups are integrated into the decision-making of the Taskforce in its formulation of advice to the Minister. The Taskforce and Reference Groups (including those with lived experience who contributed to implementation) will be invited to convene annually at a forum to consider the operation of the coercive control reform.

The Taskforce and Reference Groups are supported by a Secretariat in the Department of Communities and Justice.

The Taskforce governance structure (from 2025) is presented in Figure 1.¹⁴

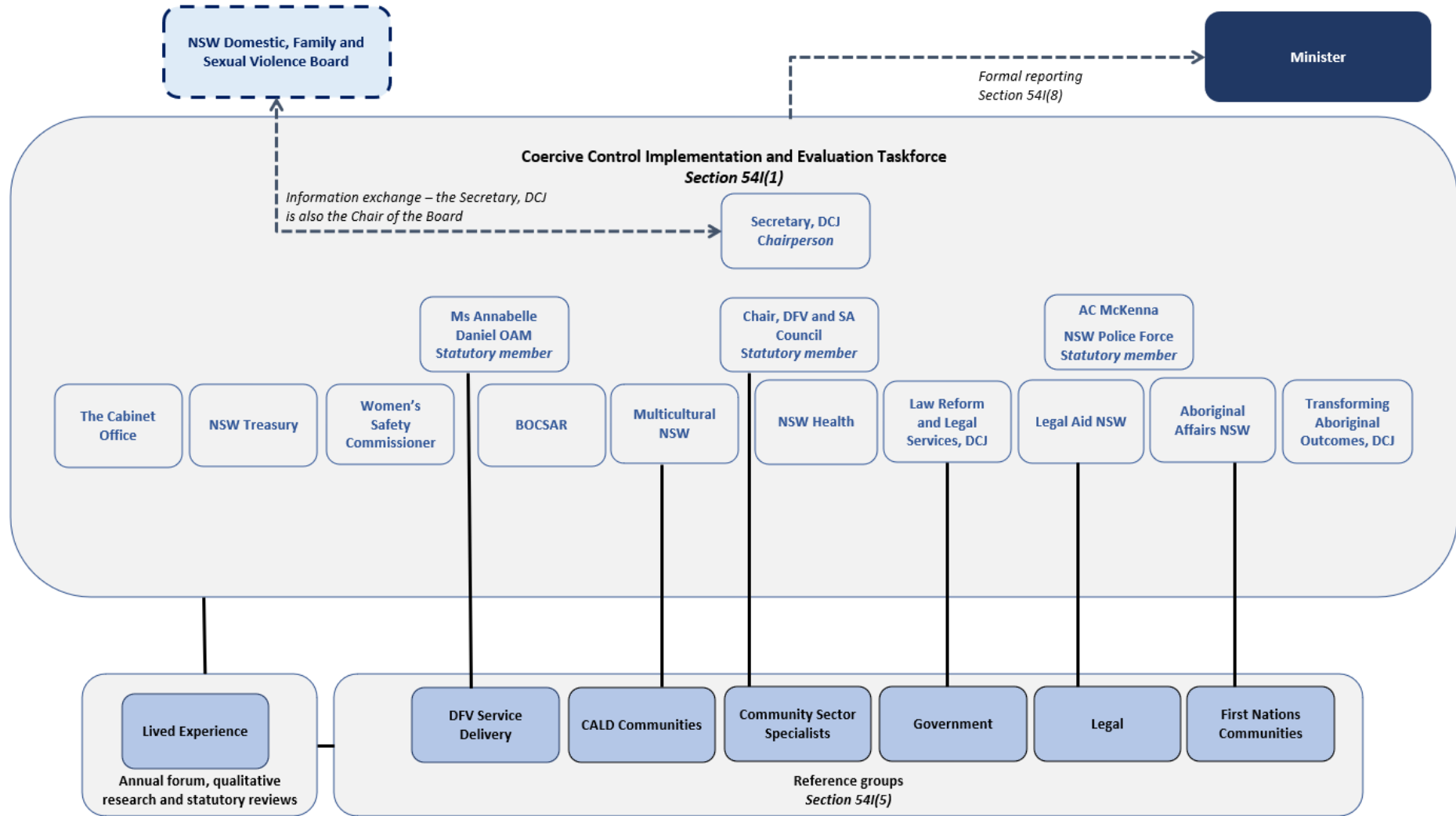
¹² Recommendation 8 of the Joint Select Committee’s Report provides that the Secretary of the Department of Communities and Justice should work together with a range of public bodies including NSW Police Force, Health, Education, Justice, Housing, and Indigenous agencies to prevent domestic abuse, with the aim of reducing the numbers of victims and perpetrators of abuse. This represents a critical opportunity to implement an early intervention and public health-focused approach, rather than relying solely on traditional criminal justice levers, which only come into play in the aftermath of an offence. The whole-of-government approach to domestic and family violence is the role of the Domestic, Family and Sexual Violence Board.

¹³ The NSW Women’s Safety Commissioner is a member of the NSW Domestic, Family and Sexual Violence Board and is a member of the Coercive Control Implementation and Evaluation Taskforce as part of her role in providing leadership and oversight of whole of NSW government policy and programs on domestic, family and sexual violence.

¹⁴ Figure 1 refers to the **NSW Domestic, Family and Sexual Violence Board** that provides whole-of-government strategic direction on domestic, family, and sexual violence reforms, and is chaired by the Secretary of the Department of Communities and Justice. Figure 1 also refers to the **NSW Domestic and Family Violence and Sexual Assault Council**, chaired by the Deputy Secretary, Strategy, Policy and Commissioning in DCJ. The Council, along with the NSW Domestic and Family Violence and Sexual Assault Corporate Leadership Group, provide advice to the Minister for Women, Seniors and Prevention of Domestic Violence and Sexual Assault on domestic, family and sexual violence reforms and initiatives relevant to their Terms of Reference.

Governance diagram

Figure 1 – Monitoring governance



Monitoring and reporting

The Bureau of Crime Statistics and Research (**BOCSAR**) is responsible for public monitoring of the coercive control reform. Due to the significant amount of stakeholder, sector and public interest in the new offence, BOCSAR published preliminary coercive control data ahead of its detailed monitoring report which was first published in November 2024.¹⁵

The detailed report covers the first quarter of the offence's operation (July to September 2024), including metrics which were designed in consultation with the Implementation and Evaluation Taskforce (**the Taskforce**) and its Reference Groups. The Taskforce's June 2024 report contains further information about that consultation.¹⁶

The BOCSAR monitoring reports will be published each quarter and will be considered by the Taskforce at its meetings.

Data on the offence

In the first three months of offence operation (July to September 2024), NSW Police recorded 76 reports of coercive control (with each capturing a course of conduct).

In the 76 coercive control reports, there were on average 3.3 types of controlling behaviour recorded.

The most commonly recorded controlling behaviours in the 76 coercive control reports were:

- Harassment, Monitoring or Tracking (41 reports or 54%)
- Financial Abuse (34 reports or 45%)
- Shaming, Degrading or Humiliating (34 reports or 45%)
- Social Isolation or Cultural Abuse (32 reports or 42%)
- Threats or Intimidation (32 reports or 42%).

Of the 76 reports:

- 39 occurred in Greater Sydney (51%), and 37 occurred in Regional NSW (49%).
- Of the recorded victims, 72 (95%) were female and 4 (5%) were male. 92% of reports involved female victims and male offenders. Two reports (3%) involved a male victim with a female offender and 4 (5%) involved same sex relationships.
- Eleven of the recorded coercive control victims were Aboriginal (14%) and 65 were non-Aboriginal or unknown (86%).
- Of the recorded victims, 30 (or 40%) were aged 30-39 years.

¹⁵ NSW Government, NSW Bureau of Crime Statistics and Research, *Domestic Violence* <<https://bocsar.nsw.gov.au/topic-areas/domestic-violence.html>> (retrieved 25 November 2024).

¹⁶ NSW Government, Department of Communities and Justice, *Crimes Legislation Amendment (Coercive Control) Act 2022 Statutory Report* (June 2024). <<https://dcj.nsw.gov.au/documents/children-and-families/family-domestic-and-sexual-violence/police-legal-help-and-the-law/crimes-legislation-amendment-coercive-control-act-2022-statutor-.report.pdf>> (retrieved 9 September 2024).

Legal actions

Of the 76 reports, two had charges proceed for the coercive control offence by September 2024. One of these charges were withdrawn by the prosecution, with other charges proceeding in that matter. Both defendants were male, non-Aboriginal and aged between 30 and 49 years.

For the coercive control charge which proceeded, the defendant entered into a guilty plea in October 2024. This has not yet been captured in published data. In December 2024, the person received an intensive correction order (ICO) for 18 months, which included a condition that the offender be electronically monitored. An ICO is a custodial sentence that the court decides can be served in the community and a domestic violence offender can only be sentenced to an ICO if the court is satisfied that the victim can be adequately protected.

Of the 76 reports from July to September 2024, 28 (37%) resulted in charges for other domestic violence (DV) offences. The most common types of charges arising from reports of coercive control were for DV assault, intimidation/stalking and property damage.

Taskforce comment

The Taskforce notes that it will take time for charges to be investigated and laid and to proceed through the criminal justice system, especially given the offence is designed to capture a pattern of abusive behaviour. However, the early reports to police of coercive control are a promising reflection of the implementation activity which preceded the offence's commencement.

The Taskforce will continue to monitor data on the offence as it is published by BOCSAR.

Monitoring the offence

As outlined in **Appendix 3**, the Taskforce will meet quarterly to consider BOCSAR data and the advice of Reference Groups. The Reference Groups will meet twice each year,¹⁷ once in respective groups and once together at a stakeholder forum, which will provide opportunity for Taskforce and Reference Group members to engage on the offence's operation.¹⁸ A calendar is included at **Appendix 3**.

Extraordinary meetings for Reference Groups can be convened as necessary, or the Secretariat can facilitate meetings to consider sector-specific concerns as needed.

The Taskforce will report annually to the Attorney General in accordance with section 54I(8) of the Crimes Act 1900 (**Crimes Act**), with the reports to be tabled in Parliament in accordance with section 54I(9).

¹⁷ The exception will be the DFV Service Delivery Reference Group, which will meet quarterly.

¹⁸ The proposed operation of Reference Groups aligns with feedback received from members supporting engagement in a variety of formats, cross-pollination, and having purposeful meetings that require active engagement from members.

Advice from Reference Groups on early operation of the offence

As noted on page 8, the Taskforce is required to establish sector-specific Reference Groups and consult with these Groups about the coercive control offence. Further to the advice provided in the Taskforce's last report,¹⁹ Reference Groups²⁰ have been consulted on the operation of the offence in the period between July and November 2024.

Reference Groups²¹ met in October 2024 to provide advice about the offence's operation of the offence. Following these meetings, Reference Group members were invited to provide written advice on any major concerns in the early stages of offence operation.

Domestic Violence NSW (DVNSW) undertook a survey of their members to elicit any on the ground feedback on the early operation of the offence. DVNSW recommended, based on the survey results, further ongoing community education and frontline sector training, and also canvassed the construction of the offence.

The Taskforce has considered this feedback in detail, and thanks members for their engagement in this critical process (see **Table 3**).

The key concerns that have been raised can be addressed by ongoing police training and community awareness activity, as outlined from pages 22-24. They can also be considered as part of the monitoring and review processes for the offence.²²

¹⁹ NSW Government, Department of Communities and Justice, *Crimes Legislation Amendment (Coercive Control) Act 2022 Statutory Report* (June 2024). <<https://dcj.nsw.gov.au/documents/children-and-families/family-domestic-and-sexual-violence/police-legal-help-and-the-law/crimes-legislation-amendment-coercive-control-act-2022-statutor-.report.pdf> > (retrieved 9 September 2024).

²⁰ As detailed in previous reports; being Lived Expertise, DFV Service Delivery, First Nations Communities, Culturally and Linguistically Diverse Communities, Older Persons and People with Disability, LGBTQIA+, Children and Youth and Government and Legal.

²¹ As detailed in previous reports; being Lived Expertise, DFV Service Delivery, First Nations Communities, Culturally and Linguistically Diverse Communities, Older Persons and People with Disability, Children and Youth and Government and Legal. The LGBTQIA+ reference group were unable to convene but were invited to other groups' meetings or to provide written advice.

²² *Crimes Act 1900* (NSW) s 54(3)(e), s 54J.

Table 3: Reference Group advice

Issue	Description	Taskforce consideration
<p>Offence in practice</p>	<p>Three members referred to experiences in supporting community members to report alleged coercive control to police where the police response was considered to be insufficient. In particular, these members raised concerns about police recognition of coercive control behaviours and the response received by community members when reporting.</p>	<p>These experiences were considered by the Taskforce including the NSW Police Force statutory member. The Domestic Violence Registry within NSW Police has invited members to directly raise any concerns with reporting the offence.</p>
	<p>Domestic Violence NSW (DVNSW) recommended, based on experiences of its members of the offence in practice, that there be:</p> <ul style="list-style-type: none"> - Increased ongoing, trauma-informed training for police, domestic and family violence services and legal practitioners to enhance their understanding of coercive control. - Additional support for victim-survivors in reporting coercive control to Police by expanding initiatives like the NSW Police/ Women’s Domestic Violence Court Advocacy Service (WDVCAS) co-location pilot for a staged state-wide coverage and substantially increasing funding for the specialist DFSV sector. 	<p>The Taskforce engaged with the issues raised by DVNSW, and noted that it will continue to consider the advice of DVNSW and its members on the operation of the offence. The Taskforce further noted:</p> <ul style="list-style-type: none"> • The ongoing training initiated by NSW Police Force (pages 22-23) and its consultation with stakeholders via the DFV iConnect forums. • That training developed for legal practitioners is available on an ongoing basis via online platforms. The legislation has not been tested in NSW courts and it is likely too soon to make a determination on that training. • DCJ has expanded its training for DFSV specialists and is developing webinars in consultation with the DFSV sector to be delivered in 2025. <p>Funding for DFSV services is determined pursuant to NSW Treasury budget processes. The Taskforce has referred recommendations for increased funding and expansion of WDVCAS co-location pilot to the DFSV Board for consideration to escalate to the DFV Taskforce.</p>
<p>Implementation</p> <ul style="list-style-type: none"> • Monitoring data • Leadership, cultural and system reform 	<p>The Taskforce received correspondence which raised concerns about:</p> <ul style="list-style-type: none"> - Data in BOCSAR’s monitoring reports not capturing certain cohorts. DVNSW further recommended additional data for inclusion in the reports. 	<p>The Taskforce will continue to consider advice from Reference Groups and engage with police and BOCSAR about possible data capture.</p> <ul style="list-style-type: none"> - There has been previous consultation on the data to be included in the BOCSAR monitoring reports, including extensive consultation with Reference Groups on the design of these reports. Not all data requested by stakeholders is captured in administrative data, however BOCSAR is considering options to include additional data where possible.

Table 3: Reference Group advice

Issue	Description	Taskforce consideration
<ul style="list-style-type: none"> Evaluation of training 	<ul style="list-style-type: none"> - Taskforce reporting on leadership, cultural and system reform. - Evaluation of training, seeking an independent evaluation. 	<ul style="list-style-type: none"> - The Taskforce’s reporting is prescribed by section 54I of the Crimes Act. The Taskforce has previously considered Reference Group advice about leadership, cultural and system reform.²³ - The Taskforce has noted the recommendation for independent evaluation of training.²⁴ The approach to training evaluation is outlined on pages 24-25.
<ul style="list-style-type: none"> Consideration of people with disability 	<p>One Reference Group member provided advice on:</p> <ul style="list-style-type: none"> - Community awareness and education for frontline workers on the experiences of people with disability. - Access to justice for people with disability. 	<ul style="list-style-type: none"> - The Taskforce thanks the member for raising this issue, and noted the concerns. Members of the People with Disability Reference Group have contributed to the community awareness campaigns and agency training as previously reported.²⁵ Further awareness raising will be considered following campaign evaluations in consultation with reference groups (page 24). - The Taskforce noted the concerns. Access to justice is outside the scope of the Taskforce’s main purposes however programs that are being delivered by Government that are outside of the Taskforce’s remit may address some of the concerns raised.²⁶
<ul style="list-style-type: none"> Community awareness 	<p>DVNSW recommended, based on members’ experiences of the offence in practice, that DCJ build on the existing community awareness campaigns including expanding access to the resources in further languages.</p>	<p>The Taskforce thanks DVNSW for its ongoing engagement and support of the education campaigns. The Taskforce noted the planned evaluations of the campaigns and commitment to further consultation with reference groups on future community awareness as noted on page 24 and the work of NSW Police Force on page 22.</p>

²³ NSW Government, Department of Communities and Justice, *Crimes Legislation Amendment (Coercive Control) Act 2022 Statutory Report* (June 2024). <<https://dcj.nsw.gov.au/documents/children-and-families/family-domestic-and-sexual-violence/police-legal-help-and-the-law/crimes-legislation-amendment-coercive-control-act-2022-statutor-.report.pdf>> (retrieved 9 September 2024), 67.

²⁴ NSW Government, Department of Communities and Justice, *Crimes Legislation Amendment (Coercive Control) Act 2022 Statutory Report* (June 2024). <<https://dcj.nsw.gov.au/documents/children-and-families/family-domestic-and-sexual-violence/police-legal-help-and-the-law/crimes-legislation-amendment-coercive-control-act-2022-statutor-.report.pdf>> (retrieved 9 September 2024), 64.

²⁵ NSW Government, Department of Communities and Justice, *Crimes Legislation Amendment (Coercive Control) Act 2022 Statutory Report* (June 2024). <<https://dcj.nsw.gov.au/documents/children-and-families/family-domestic-and-sexual-violence/police-legal-help-and-the-law/crimes-legislation-amendment-coercive-control-act-2022-statutor-.report.pdf>> (retrieved 9 September 2024),

²⁶ Including by training being delivered by the Ageing and Disability Commission and further work noted in the NSW Government response to the Disability Royal Commission (July 2024), <<https://dcj.nsw.gov.au/documents/community-inclusion/disability-inclusion/royal-commission-into-violence-abuse-neglect-and-exploitation-of-people-with-disability/nsw-government-response-to-the-disability-royal-commission.pdf>>

Table 3: Reference Group advice

Issue	Description	Taskforce consideration
<p>Legislation</p> <ul style="list-style-type: none"> Section 54D(1)(b) of the Crimes Act 	<p>Three reference group members, including DVNSW, provided advice that the offence should be broadened to all domestic relationships as defined by section 5 of the <i>Crimes (Domestic and Personal Violence) Act 2007</i>. DVNSW recommended the statutory review be brought forward for immediate consideration.</p>	<p>The Taskforce acknowledged advocacy to expand the scope of the offence. The Taskforce noted that the current settings reflect the intention of NSW Parliament and the substantial training undertaken by police, legal practitioners and the judiciary on the current legislation. There are complexities to expansion of the offence. The Taskforce will continue to monitor the impact of the offence in consultation with reference groups.</p> <p>The relationships to which the offence applies will be considered as part of the statutory review, in accordance with section 54J(2)(b). The review will consider whether there is a gap in regard to abusive conduct in other relationships; the system impacts of expansion and whether the offence would be fit for purpose when applied to other relationships beyond the current and former intimate partner context.</p>
<ul style="list-style-type: none"> Section 54D(1)(b) of the Crimes Act 	<p>One member noted potential uncertainty about the scope of the term ‘intimate partner’ according to its statutory definition:</p> <ul style="list-style-type: none"> There is no minimum age requirement for the victim in an ‘intimate relationship’ (noting the perpetrator must be 18 years of age or older –section 54D(1) <i>Crimes Act 1900</i>). The perpetrator and victim do not have to have or have had a relationship of a sexual nature. <p>It was noted there may be an issue of whether a young person has the capacity to consent to being in an intimate relationship. It was noted there are two matters before the court for sexual offending which consider this issue.</p>	<p>The Taskforce notes that:</p> <p>‘Intimate partner’ is defined under section 54C <i>Crimes Act 1900</i> as follows:</p> <p>intimate partner, of a person (the first person), means a person who —</p> <ul style="list-style-type: none"> (a) is or has been married to the first person, or (b) is or has been a de facto partner of the first person, or <p style="text-align: center;">Note — “De facto partner” is defined in the <i>Interpretation Act 1987</i>, section 21C.</p> <ul style="list-style-type: none"> (c) has or has had an intimate personal relationship with the first person, whether or not the intimate relationship involves or has involved a relationship of a sexual nature. <p>In the Second Reading Speech of the <i>Crimes Legislation Amendment (Coercive Control) Act 2022</i>, the then Attorney General noted:</p> <ul style="list-style-type: none"> ‘Intimate partner’ is defined by section 54C as two people who are or have been: married to one another; de facto spouses of one another, within the meaning of section 21C of the <i>Interpretation Act 1987</i>; or in an intimate personal relationship with one another, whether or not that relationship involves or involved a relationship of a sexual nature. This limb of the offence is intended to capture other romantic relationships. The specific reference to a non-sexual relationship is designed to capture pious relationships such as where two people may be waiting until marriage to commence a sexual relationship.

Table 3: Reference Group advice

Issue	Description	Taskforce consideration
		<ul style="list-style-type: none"> The definition of ‘intimate partner’ mirrors the existing provisions in section 5 (1) (a) to (c) of the <i>Crimes (Domestic and Personal Violence) Act 2007</i>, which defines domestic relationship. The scope of this definition should be interpreted in that context, or the context of that section, and the general understanding of the term ‘intimate partner’. <p>The offence is in the early stages of operationalisation and the offence provisions have not been considered in NSW courts.</p> <p>Cases will be monitored as they proceed through the criminal justice system including for any legal issues that may arise from the definition of ‘intimate partner’.</p> <p>Offence provisions, including the scope of relationships covered, can be considered in future statutory reviews, with the first review scheduled to commence in mid-2026 – section 54J <i>Crimes Act 1900</i>.</p>
<p>Section 54D(1)(b),(c) of the Crimes Act</p> <p>Section 54F (2) of the Crimes Act</p>	<p>DVNSW reported multiple experiences from its members with the coercive control offence in practice and noted parts of the legislation to be considered for immediate revision or monitoring.</p> <p>These related to:</p> <ul style="list-style-type: none"> - The mental element (revision) - Scope of relationships captured by the offence (revision) - Non-exhaustive list of behaviours (revision) - Misidentification of the primary aggressor (monitoring). 	<p>The Taskforce thanks DVNSW for its advocacy in regards to the scope and application of the offence. The Taskforce noted the legislation has not been tested in NSW courts. The Taskforce will continue to monitor the impact of the offence in consultation with reference groups.</p> <p>The issues raised will be considered as part of the statutory review, in accordance with section 54J. The statutory review commences in mid 2026, which provides adequate time for judicial consideration and a broader understanding of the impact of the limiting factors of the offence.</p>
<p>6A of the <i>Crimes (Domestic and Personal Violence) Act 2007</i> (and related section 11)</p>	<p>Two reference group member agencies raised concerns about how the domestic abuse definition is drafted, and its inconsistency with the coercive control offence.</p>	<p>The Taskforce has noted concerns about how the domestic abuse definition is drafted.²⁷ Its operation is being monitored. At the time this report was prepared, no cases of concern about its operation have been reported to the Taskforce.</p>

²⁷ NSW Government, Department of Communities and Justice, *Crimes Legislation Amendment (Coercive Control) Act 2022 Statutory Report* (June 2024). <<https://dcj.nsw.gov.au/documents/children-and-families/family-domestic-and-sexual-violence/police-legal-help-and-the-law/crimes-legislation-amendment-coercive-control-act-2022-statutor-.report.pdf>>(retrieved 9 September 2024), Appendix 5.

Table 3: Reference Group advice

Issue	Description	Taskforce consideration
<i>Victims Rights and Support Act 2013</i>	DVNSW recommended that it is ensured that victims-survivors of coercive control are eligible for support through Victims Services and that this support is easily accessible.	The Taskforce notes the concerns and has noted this recommendation ²⁸ and the separate review of the <i>Victims Rights and Support Act 2013</i> .

The coercive control offence and definition of domestic abuse (see page 4) will continue to be monitored by the Taskforce in consultation with Reference Groups.

²⁸ NSW Government, Department of Communities and Justice, *Crimes Legislation Amendment (Coercive Control) Act 2022 Statutory Report* (June 2024). <<https://dcj.nsw.gov.au/documents/children-and-families/family-domestic-and-sexual-violence/police-legal-help-and-the-law/crimes-legislation-amendment-coercive-control-act-2022-statutor-.report.pdf>> (retrieved 9 September 2024), 75.

Ongoing training, education and community awareness

NSW Police Force training and community engagement

Employee Recruitment

To support coercive control legislation and implementation of the offence, the Domestic and Family Violence Registry (DFVR) in the NSW Police Force created two temporary unsworn positions for a period of two years; Clerk Grades 11/12 and 5/6. The primary objective of these positions is to:

- Enhance organisational and community awareness
- Extend trauma informed interactions and processes
- Address any legislative gaps
- Improve victim-survivor safety
- Educate to prevent offending behaviours.

The integration of these positions will bolster organisational capacity to deliver quality assurance as well as pioneer initiatives informed by cutting-edge research from both local and international sources.

Continuous Training and Development

The DFVR has designed and implemented numerous training initiatives to maximise ongoing, seamless coercive control education including:

- A lived experience educational video²⁹ to broaden officers' insight into the breadth and complexity of coercive control abusive behaviours and to ensure trauma informed responses.
- A project is underway to design a mandatory professional development program embedded in a lived experience framework. The overarching objectives include:
 - Ongoing development and extension of coercive control knowledge
 - Deepen officers' insights into associated abusive behaviours
 - Continuous development in trauma-informed interactions and responses.

Community Focused Education package

The DFVR has created and delivered education to enhance NSW communities' understanding and reporting of coercive control abusive behaviours including:

- A community focused coercive control education package to be delivered to local communities by Police Area Commands and Police Districts, upon request.
- A lived experience video to enhance NSW communities' awareness and understanding of coercive control abusive behaviours.

The DFVR are partnering with Multicultural NSW to translate community based educational videos into multiple languages to better inform culturally and linguistically diverse communities.

²⁹ Content for the lived experience videos was gleaned from the NSW Police Force DFVR 2024 conference, The Silent Crime.

Coercive Control identified by Police

In the majority of cases, NSW Police officers have identified the presence of abusive behaviours when victims are reporting domestic abuse, rather than victims approaching police to report coercive control. This indicates that the suite of coercive control training delivered by the NSW Police Force has been successful.

Community awareness campaigns

The Joint Select Committee on Coercive Control was established on 21 October 2020 to inquire into and report on coercive control in domestic relationships and reported in June 2021. Recommendation 9 of the report was to run awareness campaigns about coercive control, including targeted campaigns.

The NSW Government supported this recommendation. In line with recommendation 9, a phased approach to community awareness was taken, to ensure appropriate communications were delivered in a strategic way that also met the needs of the diverse NSW community.

More information on the phased approach, including a summary of the extensive consultation with the Reference Groups, is detailed in the Taskforce's previous reports, available on the Department of Communities and Justice website.³⁰

Campaign updates

Phase one (website)

A dedicated website with educational information about coercive control launched on 30 August 2023. The website hosts videos about coercive control, campaign assets and other related accessible information. The website has been viewed over 574,000 times since it launched.³¹

Phase two (broad advertising campaign)

A broad advertising campaign launched on 1 May and ran until 1 November 2024. It included four videos depicting scenarios of coercive control in intimate partner relationships.

The campaign ran across social media, digital and audio channels, as well as in female gyms and in female restrooms at shopping centres and airports. Campaign posters were also distributed to universities, corporate organisations and medical centres.

Preliminary media results indicate strong reach and engagement for the campaign, including:

- over 45,000 page views through digital content partnerships alone
- ads played in over 1,000 different podcasts across contextually relevant and diverse content
- over 4 million views of the videos watched to 100%

³⁰ NSW Government, 'Coercive control Implementation and Evaluation Taskforce', *Communities and Justice (Web Page)* <<https://dcj.nsw.gov.au/children-and-families/family-domestic-and-sexual-violence/police--legal-help-and-the-law/criminalising-coercive-control-in-nsw/coercive-control-implementation-and-evaluation-taskforce.html>>.

³¹ Data for microsite reflective of activity from 30 August 2023 – 1 November 2024 (when paid media activity ended)

- 1,796 out of home displays (female gyms, and female restrooms in shopping centres and airports).

Phase three (tailored campaigns)

Tailored campaigns for culturally and linguistically diverse (CALD) and First Nations audiences ran from May to July 2024. Both were developed in close consultation with the First Nations Communities Reference Group and the CALD Communities Reference Group.

CALD campaign

The CALD campaign depicted different behaviours of coercive control tailored to the audience as well as information about the law. It used social media and in-language radio ads to reach people who speak Mandarin, Cantonese, Vietnamese, and Arabic.

The campaign also engaged influential, trusted partners and community members to raise awareness. Results indicate:

- social media was an effective channel to connect with harder-to-reach audiences
- over 664,000 users were reached across widely used in-language apps
- over 1,200 in-language radio ads were played.

First Nations campaign

The First Nations campaign engaged trusted voices to promote the concept of healthy relationships as well as engage in meaningful conversations about coercive control. The vodcast, which featured on social media, reached over 78,000 social media accounts. Almost 400 organisations received the campaign toolkit to share with their community networks.

Evaluating the campaigns

DCJ Communications will undertake evaluations on the campaigns in line with the NSW Government's advertising processes and the *Government Advertising Act 2011*. This report will analyse the media activity and include independent market research assessing the campaign against the intended objective of raising awareness about coercive control and its associated behaviours.

DCJ will release an evaluation summary on the performance of all phases in early 2025, which will also be included in the Taskforce's next statutory report.

Future awareness campaigns

Future campaigns will be informed by the evaluation, further stakeholder consultation and community feedback. The Taskforce and Reference Groups will continue to be engaged in this work as it is developed.

Evaluation of implementation of the offence

Section 54I(3)(d) of the Crimes Act requires the Taskforce to evaluate implementation of the coercive control offence and resourcing in relation to the coercive control offence.

The Taskforce will report on implementation and resourcing in its next report required under section 54I(8) of the Crimes Act, which is due to the Attorney General in July 2025. This period will

provide time for matters to proceed through the criminal justice system, which may indicate the impact of some agency training, and provide an indication of case volume, which is relevant to resourcing. This additional time for evaluation is also needed given the advertising campaign was extended to run until November 2024 (see pages 23-24).

The statutory reviews required under section 54J must also include an evaluation of training in relation to the offence, including:

- the type of training
- the number and kinds of persons to whom the training has been provided, including police officers, judicial officers and legal practitioners, and
- the effectiveness of the training.

Evaluation of training will be informed by the agencies which led the training, which has been detailed in previous Taskforce reports.³²

The volume of cases which proceed through the criminal justice system by July 2025 will determine when training evaluation should occur. It is likely to align with the first statutory review, which is to commence in mid-2026, with a report to be tabled in Parliament in 2027. This is because the nature of the coercive control offence, which requires a pattern of abusive behaviour, means that it may take some time for charges to be laid and for those charges to proceed through the criminal justice system.³³

Statutory review of the offence

Section 54J of the Crimes Act requires statutory reviews of the coercive control offence. Three reviews are required, with the first to begin two years after the offence commences (that is, in July 2026).

Section 54J also outlines the issues to be considered by the statutory reviews, including matters of interest to Reference Group members and other stakeholders. These issues were identified during development, consultation and passage of the Bill.

These matters are outlined in **Appendix 2** and include:

- the impact of the offence on particular cohorts
- whether the mental element of the offence should be extended to include recklessness
- whether victims of the offence may be misidentified as the perpetrator
- the effectiveness of training on the offence by criminal justice agencies.

³² NSW Government, 'Coercive control Implementation and Evaluation Taskforce', *Communities and Justice* (Web Page) <<https://dcj.nsw.gov.au/children-and-families/family-domestic-and-sexual-violence/police--legal-help-and-the-law/criminalising-coercive-control-in-nsw/coercive-control-implementation-and-evaluation-taskforce.html>>..

³³ NSW Government, Bureau of Crime Statistics and Research, *Courts and Sentencing*, <<https://bocsar.nsw.gov.au/statistics-dashboards/court-and-sentencing.html>> (retrieved 15 November 2024)

The Department of Communities and Justice (DCJ) routinely undertakes statutory reviews on behalf of the Minister and consults widely as part of that work. The statutory reviews of the coercive control offence will be undertaken in consultation with the Reference Groups and with oversight from the Taskforce. It will be a public process, with a call for submissions from members of the public.

Data to inform the statutory reviews, detailed in **Appendix 2**, will be gathered from:

- BOCSAR monitoring reports
- Court transcripts
- Submissions from the public obtained via the *Have Your Say* website
- Roundtables, including with people with lived expertise.
- Consultation with legal and frontline agencies
- Jurisdictional comparisons
- Reference Group members (experiences and/or the experiences of their clients).

Qualitative research considering the experience of domestic abuse victim-survivors in the NSW criminal justice system

The Taskforce has endorsed a research description for qualitative research, which is outlined below. The Taskforce will oversee the research as part of its workplan and consider its outcomes to assist in monitoring the coercive control offence. The work is led by BOCSAR and the NSW Women's Safety Commissioner.

Research description

The coercive control offence, along with a new definition of domestic abuse, and significant police, legal sector, judicial and domestic and family violence sector training and community awareness campaigns around coercive control, have the potential to alter the response to domestic abuse in the justice system.

The commencement of the coercive control reform offers an opportunity to examine how domestic abuse victim-survivors experience the criminal justice system in a post-coercive control landscape. DCJ will commission a qualitative research study with victims who report domestic abuse to NSW Police about their views and experience of the criminal justice system. The aim of the research would be to explore victims' experience of reporting domestic abuse, the progression through the court system and experiences of the DFV support system, particularly for vulnerable groups. The study will focus on victims who report after 1 July 2024 since the coercive control offence came into effect. Even in the post-coercive control environment, it is expected that existing high-volume domestic violence offences such as domestic violence related assault, malicious damage, and breach ADVO will still account for the majority of domestic violence matters. Thus, the study will consider the experience of domestic abuse victims generally, including those whose experience is investigated or charged as coercive control.

The research will seek to engage at least 50 victims prioritising consideration of the experiences of Aboriginal people, people with disability, LGBTQIA+ people, people from culturally and

linguistically diverse backgrounds (including but not limited to those on temporary visas), older people and victims residing in regional and remote areas.

Participant safety will be of utmost importance and researchers will need to embed trauma-informed and victim-centred practice into the project in order to support victims who participate.

Firsthand accounts of the experience of victims will be supplemented by the perspectives of a wide variety of key stakeholders working in the criminal justice system and DFV service sector who have significant experience with the investigation and prosecution of domestic violence cases. The study aims to understand the experience of a diverse range of victim-survivors, and these perspectives should be incorporated in the key informant interviews. The study will seek to engage with at least 100 key stakeholders.

The research will not be limited to intimate partner violence but should cover domestic abuse more generally. This is particularly important for Aboriginal people, people with disability and older people, for whom violence and abuse often occurs within broader family relationships.

The study will consider the experience of victims at different stages of the criminal justice system, with a particular view to examining how victims experience their interaction with justice agencies, the justice process and support services.

Future reporting

The next report of the Implementation and Evaluation Taskforce (**the Taskforce**), required under section 54I(8) of the *Crimes Act 1900* (**Crimes Act**), must be tabled in both Houses of Parliament 12 months from the commencement of the coercive control offence.

The report will outline:

- Evaluation of implementation activity in accordance with section 54I(3)(d) of the Crimes Act.
- Data and advice on monitoring the coercive control offence.
- Consultation with Reference Groups and any other stakeholders on the operation of the offence.
- Advice to the Attorney General about any other related matters.

Appendices

1. Part 3 Division 6A of *Crimes Act 1900*
2. Statutory review requirements and data sources
3. Coercive control calendar 2025

Appendix 1: Part 3 Division 6A Abusive behaviour towards intimate partners

54C Definitions

In this Division—

abusive behaviour—see section 54F.

adult means an individual who is 18 years of age or older.

course of conduct—see section 54G.

intimate partner, of a person (the *first person*), means a person who—

- (a) is or has been married to the first person, or
- (b) is or has been a de facto partner of the first person, or

Note—

“De facto partner” is defined in the [Interpretation Act 1987](#), section 21C.

- (c) has or has had an intimate personal relationship with the first person, whether or not the intimate relationship involves or has involved a relationship of a sexual nature.

intimidation, of a person, has the same meaning as in the [Crimes \(Domestic and Personal Violence\) Act 2007](#).

stalking has the same meaning as in the [Crimes \(Domestic and Personal Violence\) Act 2007](#).

54D Abusive behaviour towards current or former intimate partners

- (1) An adult commits an offence if—
 - (a) the adult engages in a course of conduct against another person that consists of abusive behaviour, and
 - (b) the adult and other person are or were intimate partners, and
 - (c) the adult intends the course of conduct to coerce or control the other person, and
 - (d) a reasonable person would consider the course of conduct would be likely, in all the circumstances, to cause any or all of the following, whether or not the fear or impact is in fact caused—
 - (i) fear that violence will be used against the other person or another person, or
 - (ii) a serious adverse impact on the capacity of the other person to engage in some or all of the person’s ordinary day-to-day activities.

Maximum penalty—Imprisonment for 7 years.

- (2) For subsection (1)(a)—
 - (a) the course of conduct may be constituted by any combination of abusive behaviours, and
 - (b) whether the course of conduct consists of abusive behaviour must be assessed by considering the totality of the behaviours.

54E Defence

- (1) In proceedings for an offence under section 54D(1), it is a defence if the course of conduct was reasonable in all the circumstances.
- (2) For subsection (1), that the course of conduct was reasonable in all the circumstances is taken to be proven if—
 - (a) evidence adduced is capable of raising an issue as to whether the course of conduct is reasonable in all the circumstances, and
 - (b) the prosecution does not prove beyond reasonable doubt that the course of conduct is not reasonable in all the circumstances.

54F Meaning of “abusive behaviour”

- (1) In this Division, *abusive behaviour* means behaviour that consists of or involves—
 - (a) violence or threats against, or intimidation of, a person, or
 - (b) coercion or control of the person against whom the behaviour is directed.
- (2) Without limiting subsection (1), engaging in, or threatening to engage in, the following behaviour may constitute *abusive behaviour*—
 - (a) behaviour that causes harm to a child if a person fails to comply with demands made of the person,
 - (b) behaviour that causes harm to the person against whom the behaviour is directed, or another adult, if the person fails to comply with demands made of the person,
 - (c) behaviour that is economically or financially abusive,
Examples for paragraph (c)—
 - withholding financial support necessary for meeting the reasonable living expenses of a person, or another person living with or dependent on the person, in circumstances in which the person is dependent on the financial support to meet the person’s living expenses
 - preventing, or unreasonably restricting or regulating, a person seeking or keeping employment or having access to or control of the person’s income or financial assets, including financial assets held jointly with another person
 - (d) behaviour that shames, degrades or humiliates,
 - (e) behaviour that directly or indirectly harasses a person, or monitors or tracks a person’s activities, communications or movements, whether by physically following the person, using technology or in another way,
 - (f) behaviour that causes damage to or destruction of property,
 - (g) behaviour that prevents the person from doing any of the following or otherwise isolates the person—
 - (i) making or keeping connections with the person’s family, friends or culture,
 - (ii) participating in cultural or spiritual ceremonies or practice,
 - (iii) expressing the person’s cultural identity,

- (h) behaviour that causes injury or death to an animal, or otherwise makes use of an animal to threaten a person,
- (i) behaviour that deprives a person of liberty, restricts a person's liberty or otherwise unreasonably controls or regulates a person's day-to-day activities.

Examples for paragraph (i)—

- making unreasonable demands about how a person exercises the person's personal, social or sexual autonomy and making threats of negative consequences for failing to comply with the demands
- denying a person access to basic necessities including food, clothing or sleep
- withholding necessary medical or other care, support, aids, equipment or essential support services from a person or compelling the person to take medication or undertake medical procedures

54G Meaning of “course of conduct”

- (1) In this Division, a *course of conduct* means engaging in behaviour—
 - (a) either repeatedly or continuously, or
 - (b) both repeatedly and continuously.
- (2) For subsection (1), behaviour does not have to be engaged in—
 - (a) as an unbroken series of incidents, or
 - (b) in immediate succession.
- (3) For subsection (1), a course of conduct includes behaviour engaged in
 - (a) in this State, and
 - (b) in this State and another jurisdiction.

54H Procedural requirements

- (1) In proceedings for an offence under section 54D(1)—
 - (a) if a specific incident of abusive behaviour is alleged to form part of the course of conduct, the prosecution is not required to allege the particulars that would be necessary if the incident were charged as a separate offence, but
 - (b) the prosecution is required to allege—
 - (i) the nature and description of the behaviours that amount to the course of conduct, and
 - (ii) the particulars of the period of time over which the course of conduct took place.
- (2) For the accused to be convicted of an offence under section 54D(1), the trier of fact—
 - (a) must be satisfied beyond reasonable doubt that the evidence establishes a course of conduct that consists of abusive behaviour, and
 - (b) is not required to be satisfied of the particulars of any specific incident of behaviour alleged to form part of the course of conduct that it would have to be satisfied of if the incident were charged as a separate offence.

Note—

This Division does not affect the common law in relation to double jeopardy.

54I Coercive Control Implementation and Evaluation Taskforce

- (1) The Minister must establish a Coercive Control Implementation and Evaluation Taskforce.
- (2) The taskforce is to include the following members appointed by the Minister—
 - (a) the Secretary of the department in which this Act is administered, who is to be the chairperson of the taskforce,
 - (b) a representative of the NSW Police Force,
 - (c) the chair of the Domestic and Family Violence and Sexual Assault Council,
 - (d) a member from the domestic and family violence sector with substantial expertise and experience in domestic and family violence service delivery.
- (3) The main purposes of the taskforce are as follows—
 - (a) to consult with stakeholders, including reference groups established under this section, about the offence under section 54D (the *coercive control offence*) and related matters,
 - (b) to provide advice about, and monitor, training, education and resourcing in relation to the coercive control offence,
 - (c) to provide advice about the commencement dates of, and interaction between, the definition of *domestic abuse* in the [Crimes \(Domestic and Personal Violence\) Act 2007](#), section 6A and the coercive control offence,
 - (d) to evaluate implementation of the coercive control offence and resourcing in relation to the coercive control offence,
 - (e) to monitor the operation of this Division, including
 - (i) the practical application of defences to the coercive control offence, and
 - (ii) resourcing in relation to the operation of the Division,
 - (f) to provide advice to the Minister about other matters related to a matter in paragraph (a)–(e) or the coercive control offence.
- (4) The chairperson of the taskforce must convene the first meeting of the taskforce within 1 month after the commencement of this section.
- (5) The taskforce must establish reference groups to consider, and provide advice and recommendations to the taskforce about any of the following matters—
 - (a) the impact of this Division on specific communities,
Examples—
Aboriginal persons, the LGBTIQ+ community
 - (b) particular elements of the Division.
- (6) A reference group must consist of members who have expertise in, or legal knowledge of, the subject

matter for which the reference group is established.

Examples of sectors, groups and organisations from which members of reference groups might be drawn—

the domestic and family violence sector, the legal profession, the Judicial Commission of NSW, Aboriginal organisations and groups, the culturally and linguistically diverse sector, LGBTIQ+ groups, the disability sector, youth and childrens groups, victims and survivors of sexual or domestic and family violence and the families of victims and survivors

- (7) In carrying out its purposes, the taskforce must consult with any reference group that is relevant to the particular purpose.
- (8) The taskforce must give the Minister a report in relation to its main purposes—
 - (a) at least once in each 6 months during the period between the commencement of this provision and the commencement of the coercive control offence, and
 - (b) at least every 12 months after the commencement of the coercive control offence.
- (9) The Minister must ensure a report under subsection (8) is tabled in each House of Parliament within 21 days after receiving it.
- (10) The taskforce ceases to operate, and this section is repealed, on the day on which, under section 54J(5)(c), the report about the third review about this Division is tabled in the Legislative Assembly.

54J Review of Division

- (1) The Minister must review this Division to determine whether—
 - (a) the policy objectives of the Division remain valid, and
 - (b) the terms of the Division remain appropriate for securing those objectives.
- (2) Without limiting subsection (1), a review under this section must consider the following—
 - (a) whether section 54D(1)(c) should be extended to cover recklessness,
 - (b) whether this Division should apply to relationships other than current and former intimate partner relationships,
 - (c) the impact of this Division on Aboriginal people, culturally and linguistically diverse people and LGBTIQ+ people,
 - (d) whether victims of an offence under this Division may be misidentified as perpetrators,
 - (e) whether the penalty for the offence under section 54D(1) should be extended,
 - (f) the types of behaviour in relation to which prosecutions for an offence under section 54D(1) are proceeding, including whether charges are being laid in relation to non-physical forms of abusive behaviour,
 - (g) the extent to which the offence under section 54D(1) is being charged on its own or in combination with other charges,
 - (h) the use of the defence under section 54E, including how often and the circumstances in which the defence is being used,
 - (i) whether there are variations in the use of the offence under section 54D(1) in different police regions, commands and districts,

- (j) the operation of the *Crimes (Domestic and Personal Violence Act 2007*, section 6A to assess whether the definition of domestic abuse in that section—
 - (i) has had an impact on the education of the community about domestic abuse, and
 - (ii) has improved police practice in responding to domestic and family abuse,
 - (k) in relation to particular areas in the State and types of courts—
 - (i) the number of cases for which proceedings for an offence under section 54D(1) have been commenced, and
 - (ii) the number of convictions for an offence under section 54D(1), and
 - (iii) the average period between service of a complaint or an indictment for an offence under section 54D(1) and a finding or verdict as to guilt, including a plea guilty.
- (3) In conducting a review under this section, the Minister must have regard to—
- (a) the transcripts of criminal trials, conducted during the period to which the review relates (the *review period*), that relate to an offence under section 54D(1), and
 - (b) the training that has occurred during the review period in relation to the offence under section 54(1), including—
 - (i) the type of training, and
 - (ii) the number and kinds of persons to whom the training has been provided, including police officers, judicial officers and legal practitioners, and
 - (iii) the effectiveness of the training.
- (4) A review under this section is to be undertaken—
- (a) for the first review—as soon as possible after the period of 2 years from the commencement of this Division, and
 - (b) for the second and third reviews—as soon as possible after the period of 2 years from the last review under this section.
- (5) A report on the outcome of a review under this section is to be tabled in each House of Parliament within—
- (a) for a report about the first review—within 3 years after the commencement of this Division, and
 - (b) for a report about the second review—within 3 years after the report about the first review was required to be tabled under paragraph (a), and
 - (c) for a report about the third review—within 3 years after the report about the second review was required to be tabled under paragraph (b).

Appendix 2: Statutory review requirements and data sources

In addition to reference group feedback, the table below illustrates further potential data sources for the statutory reviews.

Crimes Act Section 54J Review of Division	Proposed data source (tentative)	Additional comments
(a) whether section 54D(1)(c) should be extended to cover recklessness,	<ul style="list-style-type: none"> • BOCSAR monitoring • Court transcripts • Public call for submissions • Roundtables • Consultation with legal and frontline agencies • Jurisdictional comparison 	<ul style="list-style-type: none"> • BOCSAR monitoring may assist in understanding the attrition rate and successful prosecution rate – supplemented by court transcripts and consultation to assist a general understanding of whether the threshold is too high. • Additionally, if there are low volumes of prosecutions, it might be useful to compare where charges were withdrawn or proceedings discontinued. With a small volume, a manual analysis of notes/case files may be achievable.
(b) whether this Division should apply to relationships other than current and former intimate partner relationships,	<ul style="list-style-type: none"> • Public call for submissions • Roundtables • Consultation with legal and frontline agencies • Jurisdictional comparison 	<ul style="list-style-type: none"> • Justice Impact Assessment (potentially based on stalk/intimidate)
(c) the impact of this Division on Aboriginal people, culturally and linguistically diverse people and LGBTQI+ people,	<ul style="list-style-type: none"> • BOCSAR monitoring (First Nations) • Court transcripts • Public call for submissions (and targeted invitation for submissions from CALD, First Nations and LGBTQIA+ groups) 	<ul style="list-style-type: none"> • Case file review, dependent on volume.

Crimes Act Section 54J Review of Division	Proposed data source (tentative)	Additional comments
	<ul style="list-style-type: none"> • Consultation with legal and frontline agencies 	
<p>(d) whether victims of an offence under this Division may be misidentified as perpetrators,</p>	<ul style="list-style-type: none"> • Public call for submissions • Roundtables • Consultation with legal and frontline agencies • Court transcripts 	<ul style="list-style-type: none"> • NSW Police to be consulted on this aspect, specifically whether the training in advance mitigated the risk. • BOCSAR to be consulted on possible measures from available data.
<p>(e) whether the penalty for the offence under section 54D(1) should be extended,</p>	<ul style="list-style-type: none"> • BOCSAR monitoring • Court transcripts/sentencing hearings • Public call for submissions • Roundtables • Consultation with legal stakeholders • Jurisdictional comparison 	<ul style="list-style-type: none"> • BOCSAR monitoring on penalty for primary offence may be instructive
<p>(f) the types of behaviour in relation to which prosecutions for an offence under section 54D(1) are proceeding, including whether charges are being laid in relation to non-physical forms of abusive behaviour,</p>	<ul style="list-style-type: none"> • BOCSAR monitoring report • Court transcripts 	<ul style="list-style-type: none"> • BOCSAR have worked with police to ensure that conduct is captured in the data.
<p>(g) the extent to which the offence under section 54D(1) is being charged on its own or in</p>	<ul style="list-style-type: none"> • BOCSAR monitoring report 	<ul style="list-style-type: none"> • While this element assists understanding the context of the offence, no conclusions can be drawn.

Crimes Act Section 54J Review of Division	Proposed data source (tentative)	Additional comments
combination with other charges,		
(h) the use of the defence under section 54E, including how often and the circumstances in which the defence is being used,	<ul style="list-style-type: none"> • Court transcripts • Consultation with legal stakeholders 	
(i) whether there are variations in the use of the offence under section 54D(1) in different police regions, commands and districts,	<ul style="list-style-type: none"> • BOCSAR monitoring report 	<ul style="list-style-type: none"> • May also be able to be extrapolated from court location data.
<p>(j) the operation of the <i>Crimes (Domestic and Personal Violence) Act 2007</i>, section 6A to assess whether the definition of domestic abuse in that section—</p> <p style="padding-left: 20px;">(i) has had an impact on the education of the community about domestic abuse, and</p> <p style="padding-left: 20px;">(ii) has improved police practice in responding to domestic and family abuse,</p>	<ul style="list-style-type: none"> • Public call for submissions • Roundtables • Consultation with legal stakeholders and frontline agencies 	<ul style="list-style-type: none"> • Possible reports from oversight agencies. • ADVO data, where available. • Causation will be hard to draw for community education given awareness campaigns, unless a survey or similar is possible.
<p>(k) in relation to particular areas in the State and types of courts—</p> <p style="padding-left: 20px;">(i) the number of cases for which proceedings for an offence under section 54D(1) have been commenced, and</p>	<ul style="list-style-type: none"> • BOCSAR monitoring data 	

Crimes Act Section 54J Review of Division	Proposed data source (tentative)	Additional comments
<p>(ii) the number of convictions for an offence under section 54D(1), and</p> <p>(iii) the average period between service of a complaint or an indictment for an offence under section 54D(1) and a finding or verdict as to guilt, including a plea guilty.</p>		
<p>(3) In conducting a review under this section, the Minister must have regard to—</p> <p>(a) the transcripts of criminal trials, conducted during the period to which the review relates (the review period), that relate to an offence under section 54D(1), and</p> <p>(b) the training that has occurred during the review period in relation to the offence under section 54(1), including—</p> <p>(i) the type of training, and</p> <p>(ii) the number and kinds of persons to</p>	<ul style="list-style-type: none"> • Training as reported by the Taskforce • Court transcripts • Roundtables • Consultation with frontline agencies 	

Crimes Act Section 54J Review of Division	Proposed data source (tentative)	Additional comments
<p>whom the training has been provided, including police officers, judicial officers and legal practitioners, and (iii) the effectiveness of the training.</p>		

Appendix 3: Coercive Control Calendar 2025

Month	Meetings/ engagement	Key agenda items (tentative)	Reference Group consultation opportunity	Workplan milestone
March 2025	Reference Group meetings	<ul style="list-style-type: none"> Monitoring (BOCSAR monitoring report and Reference Group advice) Section 54I(8) monitoring report 	Section 54I(8) monitoring report	BOCSAR monitoring report (Oct to Dec 24) released
	Taskforce meeting	<ul style="list-style-type: none"> Monitoring (BOCSAR monitoring report and Reference Group advice) Implementation evaluation s54I(3) Qualitative research Section 54I(8) monitoring report 		
June 2025	DFV Service Delivery Reference Group meeting	<ul style="list-style-type: none"> Monitoring (BOCSAR monitoring report and Reference Group advice) 		BOCSAR monitoring report (Jan to Mar 25) released
	Other Reference Groups – written update	<ul style="list-style-type: none"> Monitoring (BOCSAR monitoring report and Reference Group advice) 		
	Taskforce meeting	<ul style="list-style-type: none"> Monitoring (BOCSAR monitoring report and 		

Month	Meetings/ engagement	Key agenda items (tentative)	Reference Group consultation opportunity	Workplan milestone
		Reference Group advice) <ul style="list-style-type: none"> • Qualitative research • Section 54I(8) monitoring report 		
July 2025				Fourth section 54I(8) monitoring report due to ministers
September 2025	In-person stakeholder forum	<ul style="list-style-type: none"> • Reflections on and learnings from the first year of the coercive control offence 		BOCSAR monitoring report (April to June 25) released
	Taskforce meeting	<ul style="list-style-type: none"> • Monitoring (BOCSAR monitoring report and Reference Group advice) • Outcomes from stakeholder forum. 		
December 2025	DFV Service Delivery Reference Group meeting	<ul style="list-style-type: none"> • Monitoring (BOCSAR monitoring report and Reference Group advice) 		BOCSAR monitoring report (July to Sept 25) released
	Other Reference Groups – written update	<ul style="list-style-type: none"> • Monitoring (BOCSAR monitoring report and Reference Group advice) 		
	Taskforce meeting	<ul style="list-style-type: none"> • Monitoring (BOCSAR monitoring report and 		

Month	Meetings/ engagement	Key agenda items (tentative)	Reference Group consultation opportunity	Workplan milestone
		Reference Group advice) <ul style="list-style-type: none"> • Taskforce meeting cadence and other governance issues 		