

Submission to the Statutory Review of the NSW Coercive Control Reform

About WAGEC

Women's and Girls' Emergency Centre (WAGEC) is a Specialist Homelessness Service (SHS) and feminist not-for-profit organisation that has been supporting women and children in crisis since 1977.

Every night, WAGEC supports more than 200 women and children escaping domestic violence, homelessness and systemic disadvantage. We do this by providing material aid, case management, wrap-around support, accommodation and crisis response.

WAGEC operates four crisis refuge accommodation sites and on average 45 transitional properties. We also deliver:

- **Crisis response and accommodation:** We provide immediate solutions to women and families in crisis, including crisis response, shelter, material aid and case management.
- **Tailored programs:** Our targeted programs work to break the cycle of violence and social disadvantage by providing tailored support that restores safety and addresses the specific needs of women and children escaping violence.
- **Primary Prevention initiatives:** We seek to stop violence before it starts by addressing the underlying drivers of gender-based violence through advocacy, workplace training and community education.

WAGEC is based in Sydney and operates refuge sites on the unceded lands of the Gadigal, Wangal and Dharawal people of the Eora Nation. We acknowledge the Traditional Custodians of country and pay our respects to Elders past and present.

WAGEC acknowledges our responsibility as a non-Indigenous organisation to ensure the culturally responsive delivery of services to Aboriginal and Torres Strait Islander clients and to use our voice and spaces of privilege to amplify the advocacy of generations of First Nations women who have come before us and continue to work to make communities safer.

Recognition has improved but the response has not kept pace

WAGEC supports the core objectives of the NSW coercive control reform.

The introduction of the coercive control offence has contributed to an important shift in the way in which domestic and family violence is understood. Through our frontline work,

practitioners have observed that women are increasingly able to identify patterns of behaviour that may previously not have understood as domestic violence, particularly where physical violence is absent or infrequent. The concept of coercive control has also strengthened practitioners' ability to identify patterns across financial abuse, surveillance, isolation, intimidation and other controlling behaviours.

This is important because coercive control is often difficult to understand while it is being experienced, particularly where individual behaviours appear innocuous when removed from the broader relationship. The legislation has helped establish a language through which women can describe the cumulative nature of that abuse.

However, WAGEC's experience is that this increased recognition is not being matched by a sufficiently consistent criminal justice response. Frontline workers described considerable variation between police stations and individual officers. In some cases, an officer or Domestic Violence Liaison Officer immediately recognised a pattern of coercive control. In others, women had repeatedly approached police about conduct that practitioners considered to form a clear pattern of coercive control, only for each report to be treated as an isolated incident.

This is particularly concerning because the legislation itself requires the course of conduct to be considered in its totality. Department of Communities and Justice's (DCJ) discussion paper explains that this provision is intended to capture behaviours which may appear trivial when considered individually but become abusive when understood as part of a wider pattern. Yet WAGEC practitioners described having to undertake precisely this pattern-mapping for police, including compiling messages and other evidence across time, only for individual incidents to continue to be assessed separately.

The early statewide data suggests that translating reports into coercive control charges remains difficult. Between July 2024 and December 2025, NSW Police recorded 473 coercive control incidents, but only 22 coercive control charges were laid. Of the five charges finalised by December 2025, four had been withdrawn and one resulted in a guilty plea. BOCSAR also found a median period of 188 days between an event being reported and a coercive control charge being laid.¹ ([BOCSAR](#))

WAGEC recognises that charge numbers alone cannot measure the effectiveness of the legislation, particularly at this early stage. Rather, these figures reinforce a concern arising repeatedly from our frontline work: the capacity to recognise coercive control does not yet consistently translate into an effective justice response.

Police responses and the risk of misidentification

One of WAGEC's strongest concerns is the continued risk that victim-survivors are identified as perpetrators.

Practitioners described cases in which women experiencing significant and ongoing coercive control were arrested or treated as the primary aggressor. In one case, a woman had repeatedly attempted to report coercive and controlling behaviour before she was herself identified as the perpetrator. A specialist officer subsequently recognised the broader pattern as coercive control.

In other cases, WAGEC workers supported women to have charges against them withdrawn after what practitioners understood to be retaliatory allegations by perpetrators.

These experiences are particularly significant because preventing misidentification was an explicit objective of the NSW reform.

They also reflect a well-established concern in domestic and family violence policing. ANROWS research has found that women, particularly Aboriginal and Torres Strait Islander women, can be misidentified as perpetrators where police responses focus on the immediate incident or visible physical violence rather than the history and pattern of abuse. The research also identified perpetrators' use of systems abuse, including false allegations, as a contributor to misidentification.² ([ANROWS](#))

DCJ notes that early BOCSAR analysis suggests possible misidentification specifically associated with the coercive control offence appears low. WAGEC encourages caution in interpreting this finding. Misidentification may occur before a coercive control offence is ever recorded. A woman may instead be arrested or charged for conduct arising within a broader pattern of victimisation. Alternatively, she may disengage from police following an unsafe or dismissive response.

This is consistent with what WAGEC practitioners described. Women were generally willing to seek help, particularly when supported by a specialist service. What discouraged further reporting was the experience of reporting and not being believed, receiving an inadequate response, or in the most serious cases being treated as the perpetrator themselves.

The effectiveness of the reform should therefore not be assessed solely through recorded coercive control matters. Monitoring should examine the wider police and justice trajectory of people subsequently identified as victim-survivors, including cross-applications for ADVOs, retaliatory allegations and charges for other offences.

The experience is not equal across communities

The barriers identified above become more significant when combined with other forms of structural disadvantage.

WAGEC practitioners highlighted particular concerns for First Nations women, women from culturally and linguistically diverse communities, women with insecure visa status and women living in regional or remote communities.

Language barriers, unfamiliarity with Australian legal systems, fear or distrust of authorities, geographical isolation and limited access to specialist services can all affect a woman's ability to communicate a complex pattern of abuse and navigate the response that follows.

These concerns are already reflected in the evidence informing the review. DCJ's CALD Communities Reference Group has identified barriers to reporting coercive and controlling behaviour to police and the need for better data about how the offence is affecting culturally diverse communities.

WAGEC is particularly concerned about the interaction between these barriers and misidentification. Existing research has found that Aboriginal and Torres Strait Islander women face a heightened risk of being misidentified as perpetrators of domestic and family violence.² ANROWS has recommended police professional development addressing the barriers First Nations people face when accessing justice, the effects of trauma and the misidentification of First Nations women as primary aggressors.³ ([ANROWS](#))

The implementation of coercive control legislation must therefore remain explicitly intersectional. A law that relies heavily on a victim-survivor being able to communicate a pattern of behaviour to authorities will not operate equally unless the system also addresses the structural barriers that affect that communication.

Family law and post-separation control

WAGEC strongly encourages the review to consider coercive control as it operates through institutions and legal systems.

Coercive control does not necessarily end when an intimate relationship ends.

WAGEC practitioners described perpetrators continuing to exercise control through family law proceedings, mediation, child contact arrangements and repeated engagement with government and community agencies.

In some cases, women reported feeling unable to participate meaningfully in mediation because the coercive dynamics of the relationship remain intact.

Practitioners also described significant disparities in access to legal representation, including situations in which perpetrators had private legal representation while women relied on limited legal assistance.

This is consistent with ANROWS' research into compliance with and enforcement of parenting orders identified circumstances, in which family law processes were used to continue coercive and controlling behaviour after separation. It found that systems abuse and vexatious litigation can have significant and enduring impacts on women and children, and cautioned that legal processes can themselves create opportunities for ongoing control.⁴ ([ANROWS](#))

WAGEC's concern is broader than whether a particular act within a court process satisfies the criminal offence. Police, courts, legal practitioners, mediators, child protection services and specialist domestic violence services need a shared understanding of post-separation coercive control and systems abuse. A criminal investigation should not lose momentum simply because parallel family law proceedings are underway.

Financial abuse must be understood in context

Financial abuse was a significant theme in WAGEC's consultation.

Practitioners described financial arrangements that could appear legitimate when considered in isolation but function as powerful mechanisms of control. For example, one woman had money placed into her bank account in a way that created the appearance that she had access to substantial financial resources. In practice, she did not have meaningful control over those funds. The apparent assets affected her ability to access income support and housing assistance, contributing to her remaining trapped in the relationship.

This example illustrates why coercive control cannot be understood simply by asking who legally owns an account or asset. The relevant question is whether the person has meaningful and safe control over those resources.

Financial abuse is already prominent in recorded coercive control matters. BOCSAR found financial abuse in 52 per cent of coercive control incidents recorded between July 2024 and December 2025. Harassment, monitoring or tracking appeared in 56 per cent, while threats or intimidation were recorded in 53 per cent.¹ ([BOCSAR](#))

Australian research has similarly shown how social security systems can unintentionally reinforce economic dependence and be manipulated within abusive relationships. ANROWS research examining domestic violence and social security found that administrative rules can increase poverty risks for victim-survivors and provide perpetrators with opportunities to maintain economic and systems abuse.⁵ ([ANROWS](#))

WAGEC supports clearer practical guidance on economic and financial abuse that recognises both direct financial deprivation and more complex strategies through which perpetrators manipulate assets, debts, accounts, government payments or eligibility systems to restrict a woman's autonomy.

Training must translate into consistent frontline practice

DCJ's discussion paper records substantial investment in police education. More than 20,000 NSW Police employees have received training about coercive control, supplemented by specialist modules, lived experience training and targeted workshops for Police Area Commands and Police Districts.

WAGEC welcomes this investment. However, our frontline experience suggests that completion of training cannot itself be treated as evidence that implementation has succeeded.

Practitioners described dramatically different responses depending on the officer or police station involved. In some cases, WAGEC practitioners found themselves explaining the coercive control legislation to police while supporting a client to report. For women who have already taken a significant risk by approaching authorities, seeing their specialist worker having to persuade police that the reported behaviour forms a pattern of coercive control can quickly undermine confidence in the system.

Research supports the need for this emphasis. ANROWS has recommended explicit guidance to assist police to recognise patterns of coercive control, continuing professional development and consideration of specialist or co-responder models for domestic and family violence.⁶

([ANROWS](#))

WAGEC recommends that the next phase of implementation should therefore focus on whether training changes practice. This requires evaluation beyond attendance or completion rates. It should include auditing responses across Police Area Commands, examining cases where coercive control was raised but no offence recorded, embedding pattern-based assessment into operational practice and establishing stronger pathways for specialist DFV services to escalate concerns where a response appears inconsistent with the legislation.

Scope of the offence and future reform

WAGEC recognises that coercive and controlling behaviour occurs beyond intimate partner relationships. DCJ's own Reference Groups have identified coercive control affecting older people, people with disability, children and young people and people within wider family and kinship relationships. Other jurisdictions have adopted broader approaches: for example, Northern Ireland's offence extends to certain family members, while England and Wales includes relatives and people who share parental relationships.

There is therefore a legitimate case for considering expansion.

However, WAGEC recommends caution about expanding the criminal offence before the implementation challenges within the existing intimate partner offence have been adequately addressed.

The experiences of our frontline practitioners demonstrate that police are still developing the capability to recognise patterns, distinguish victim-survivors from predominant aggressors and respond consistently to the existing legislation. Expanding the offence into relationships with different power dynamics without addressing these issues could increase the risk of unintended criminalisation.

Any future expansion should therefore be informed by dedicated consultation with First Nations communities, disability organisations, older people's services, multicultural communities, LGBTQIA+ organisations and specialist domestic and family violence services.

Recommendations

WAGEC recommends that the NSW Government:

1. **Retain the core objectives of the coercive control reform**, while recognising that increased awareness has not yet translated into a sufficiently consistent justice response.
2. **Strengthen police capability to identify patterns of coercive control**, with greater emphasis on assessing the totality and history of behaviour rather than responding to incidents in isolation.
3. **Make prevention of victim-survivor misidentification a central measure of implementation**, including monitoring outcomes beyond cases formally recorded as coercive control offences and paying particular attention to First Nations women and other groups at heightened risk of misidentification.
4. **Evaluate police training through demonstrated changes in frontline practice**, including consistency between Police Area Commands, rather than relying primarily on training completion figures.
5. **Develop clearer operational guidance on financial abuse, systems abuse and post-separation coercive control**, including the use of family law, mediation, child contact, government systems and financial arrangements as mechanisms of continued control.
6. **Strengthen mechanisms for specialist domestic and family violence services to raise and escalate concerns with NSW Police** where practitioners identify a pattern of coercive control that has not been recognised in the initial police response.
7. **Improve data collection and monitoring of the experiences of First Nations women, culturally and linguistically diverse women, women with disability, women with insecure visa status and women in regional and remote communities**, recognising that recorded offence data alone cannot demonstrate whether these groups are safely accessing the legislation.
8. **Approach expansion of the offence beyond intimate partner relationships cautiously**, and only following dedicated consultation with affected communities and further evidence about the operation of the existing offence.
9. **Ensure implementation is accompanied by continued investment in specialist domestic and family violence services and legal assistance**. Criminalisation alone cannot provide safety where women cannot access housing, financial security, legal representation and specialist advocacy.

References

1. NSW Bureau of Crime Statistics and Research, *Coercive Control Monitoring Report December 2025*, Statistical Report, 18 March 2026. [BOCSAR report](#)
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3. Australia's National Research Organisation for Women's Safety, *The Commission of Inquiry into Queensland Police Service responses to domestic and family violence*. [ANROWS submission](#)
4. Australia's National Research Organisation for Women's Safety, *Compliance with and enforcement of family law parenting orders: Final report*. [ANROWS research](#)
5. Australia's National Research Organisation for Women's Safety, *Domestic violence, social security and the couple rule*. [ANROWS research](#)
6. Australia's National Research Organisation for Women's Safety, *Audit Office of New South Wales: Audit into police responses to domestic and family violence*. [ANROWS submission](#)