



Submission cover sheet

Inquiry into the Crimes (Coercive Control) Amendment Bill 2026

Submission number: 016

Submitter: Our Watch

Date authorised for publication: 5 August 2026

Submission to the Inquiry into the Crimes (Coercive Control) Amendment Bill 2026



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July 2026

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Acknowledgement of Country

Our Watch acknowledges the Traditional Owners of the land across Australia on which we work and live. We pay respects to Elders past and present and recognise the continuing connection Aboriginal and Torres Strait Islander people have to land, culture, knowledge, and language for over 65,000 years.

As a non-Aboriginal organisation, Our Watch understands that violence against Aboriginal and Torres Strait Islander women and children is a whole of community issue. As highlighted in Our Watch's national resource *Changing the picture*, there is an intersection between racism, sexism and violence against Aboriginal and Torres Strait Islander women.

Our Watch has an ongoing commitment to the prevention of violence against Aboriginal and Torres Strait Islander women and children, who continue to experience violence at significantly higher rates than non-Aboriginal women. We acknowledge all Aboriginal and Torres Strait Islander people who continue to lead the work of sharing knowledge with non-Aboriginal people and relentlessly advocate for an equitable, violence-free future in Australia.

About Our Watch

Our Watch is a national leader in the primary prevention of violence against women and their children in Australia. We are an independent, not for profit organisation established by the Commonwealth and Victorian Governments in 2013. All Australian governments are members of Our Watch.

Our vision is an Australia where women and their children live free from all forms of violence. We aim to drive nation-wide change in the culture, behaviours, attitudes and social structures that drive violence against women.

Guided by our ground-breaking national framework, *Change the story: A shared framework for the primary prevention of violence against women in Australia*, we work at all levels of our society to address the deeply entrenched, underlying drivers of violence against women, especially those stemming from gender inequality. We work with governments, practitioners and the community, at all levels of Australian society, to address these drivers of violence in all settings where people live, learn, work and socialise.

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About our submission

We welcome the ACT Legislative Assembly Standing Committee on Legal Affairs' Inquiry into Crimes (Coercive Control) Amendment Bill 2026 (the proposed Bill).

The proposed Bill was presented to the ACT Legislative Assembly in May 2026 and subsequently referred to the Standing Committee on Legal Affairs for consideration. Its development drew on significant expertise provided by the Steering Committee on the Criminalisation of Coercive Control and targeted consultations. Our Watch acknowledges the significant work already undertaken by the ACT Government, the Steering Committee on the Criminalisation of Coercive Control and stakeholders across the sector to inform the development of the proposed Bill.

Our Watch's response provides suggestions on how the proposed Bill can be strengthened through a primary prevention lens. We also provide the Standing Committee with evidence on how a primary prevention approach can complement the introduction of any new laws and guide the whole-of-system reform required to ensure legislative reforms are introduced in an effective way.

Summary of Our Watch's recommendations to the ACT Legislative Standing Committee on Legal Affairs:

1. Apply a primary prevention approach (including a whole-of-setting approach) to the ACT Government's work to address coercive control under the ACT Domestic Family and Sexual Violence Strategy's First Action Plan including by:
 - a. Working with the specialist and prevention sectors to develop comprehensive education about coercive control.
 - b. Implementing a comprehensive, multi-sectoral approach to raise the capacity and capability of those working across multiple settings and sectors.
 - c. Ensure that whole-of-system oversight mechanisms established prior to offence commencement include the domestic, family and sexual violence, legal, and Aboriginal and Torres Strait Community-Controlled sectors, and a focus on preventing coercive control.
2. As part of the ACT Government's whole-of-system oversight and implementation approach:
 - a. Engage with the specialist domestic, family and sexual violence, legal, and Aboriginal and Torres Strait Islander Community-Controlled sectors to develop an implementation plan for the proposed Bill.
 - b. Develop mechanisms to identify and respond to any increase in service demand as a result of this legislation through increased resourcing and funding to front line services.

- c. Develop mechanisms for external and ongoing monitoring and accountability, designed in collaboration with the ACT legal and Aboriginal and Torres Strait Islander community-controlled sectors.
 - d. Review data, policies, practices and training across the justice and complementary systems to prevent misidentification of the primary perpetrator.
3. An amendment to the text of the proposed Bill to clarify the Coercive control advisory committee's functions.
4. An amendment to the text of the proposed Bill to require the Coercive control advisory committee have to cross-sector representation.
5. An amendment to the text of the proposed Bill to include a further provision requiring the Coercive control advisory committee to develop mechanisms for external and ongoing evaluation, monitoring and accountability, designed in collaboration with the ACT legal and Aboriginal and Torres Strait Islander community-controlled sectors.

What is primary prevention?

Primary prevention aims to stop violence before it starts by addressing the structural causes and underlying drivers of violence. Primary prevention requires changing the social conditions that give rise to violence, reforming the institutions and systems that excuse, justify, or promote such violence, and shifting the power imbalances and social norms, structures and practices that drive and normalise it.

Our Watch's national framework *Change the story: A shared framework for the primary prevention of violence against women in Australia* (Change the story) outlines a national, population-level, evidence-based approach to primary prevention of violence. It identifies gender inequality as setting the social context in which violence against women occurs. Within Change the story's framework, coercive control is understood as one manifestation of the broader pattern of violence against women.

Change the Story identifies four 'gendered drivers' of violence, which are the population-level factors that create environments in which women and men are not considered equal, and violence against women is both more likely, and more likely to be tolerated and even condoned. The gendered drivers of violence against women are:

- Driver 1: Condoning of violence against women.
- Driver 2: Men's control of decision-making and limits to women's independence in public and private life.
- Driver 3: Rigid gender stereotyping and dominant forms of masculinity.
- Driver 4: Male peer relations and cultures of masculinity that emphasise aggression, dominance and control.

Our Watch's national framework for the prevention of violence against Aboriginal and Torres Strait Islander women and children, *Changing the picture*, recognises that different factors drive

violence against Aboriginal and Torres Strait Islander women. There is no single cause of violence against Aboriginal and Torres Strait Islander women, however the research underpinning Changing the picture identifies the ongoing impacts of colonisation including systemic racism and intergenerational trauma, together with the gendered drivers of violence as intersecting structural factors that shape Aboriginal and Torres Strait Islander women's experiences of violence. It also highlights that coercive control and other forms of violence against Aboriginal and Torres Strait Islander women cannot be understood or responded to in isolation from these intersecting structural factors.

In addition, Changing the landscape is a national resource to prevent violence against women and girls with disability, which names ableism and gender inequality as drivers of violence against women and girls with disability. Our Watch also has a forthcoming new national primary prevention framework, produced in partnership with Rainbow Health Australia, to build a deeper understanding of the drivers of gender-based violence against LGBTIQ+ people.

Primary prevention and the criminalisation of coercive control

Our Watch acknowledges that States and Territories are moving toward legislating criminalisation of coercive control. We also note that there is limited evidence¹ to suggest that it sufficiently improves the safety of women as a standalone intervention.

Primary prevention approaches aimed at addressing the underlying gendered drivers of coercive control are both necessary, and complementary to justice responses.

We echo the calls from across the sector that sustained action to shift social norms, attitudes, structures and practices that drive violence against women and children must accompany criminalisation in order for the legislation to have its intended effect of reducing violence.

A primary prevention approach offers a framework for coordinated change across multiple levels of society, multiple systems and multiple sectors to create and reinforce positive shifts at the individual level. Prevention approaches aim to create change across interpersonal, community and societal levels in a mutually reinforcing way. There is strong Australian and international evidence² showing that coordinated approaches are more successful in reducing rates of violence than ad hoc approaches.

In practice, implementing prevention approaches alongside coercive control legislation in the ACT includes:

- coordinated community education, which addresses the gendered drivers of violence.
- workforce capability development with police, prosecutors and legal professionals,
- implementation planning with the specialist sector, and
- cross-sector governance to support the safe and effective implementation of the offence.

Adopting a primary prevention approach will give full effect to the National Principles to Address Coercive Control in Family and Domestic Violence

In 2023, the Commonwealth and State and Territory governments agreed to a set of National Principles to Address Coercive Control in Family and Domestic Violence. The proposed Bill provides the ACT Government with an opportunity to give effect to one of the guiding considerations for effective responses to coercive control (Principle 7)³.

Adopting a primary prevention approach alongside the proposed Bill will provide the ACT Government with additional opportunities to give effect to the remaining guiding principles and build a shared, societal understanding of coercive control (in line with Principles 1, 2, 3, and 4) and importantly coordinate and co-design approaches to coercive control across prevention, early intervention, response, and recovery and healing (in line with Principles 5 and 6)⁴.

The proposed Bill should be implemented consistently with the ACT Domestic, Family and Sexual Violence Strategy and First Action Plan

The recently launched ACT Domestic, Family and Sexual Violence Strategy (the DFSV Strategy) and its First Action Plan⁵ identifies complementary actions to support implementation of the coercive control offence including establishing a whole-of-system oversight and implementation approach (Action 5.9) strengthening community awareness (Action 4.1), building workforce capability (Action 5.10).

The DFSV Strategy and its First Action Plan therefore positions criminalisation as just one component of a broader whole-of-systems response. Both the provisions and implementation of the proposed Bill should be aligned to this approach, rather than operating as a standalone criminal justice measure.

The First Action Plan also includes an action to scope future primary prevention initiatives (Action 4.4). Underpinning the implementation of the proposed Bill and the supporting actions with a primary prevention approach is an opportunity to deliver primary prevention through existing actions in the First Action Plan.

Regardless of when the legislation to respond to coercive control commences, Our Watch encourages the ACT Government to continue and expand its prevention work, using the national frameworks, *Change the story*⁶, *Changing the Picture*⁷, *Changing the landscape*⁸ and *Counting on change*⁹ as a guide. It is this coordinated approach that has the potential to prevent coercive control as a long-term strategy by driving deep change across multiple settings and sectors across the ACT.

Recommendation:

1. Apply a primary prevention approach (including a whole-of-setting approach) to the ACT Government's work to address coercive control under the ACT DFSV Strategy's First Action plan (in particular Actions 4.1, 5.9 and 5.10), including by:

- a. Working with the specialist and prevention sectors to develop and deliver a comprehensive public education and communications strategy about coercive control. This should include what drives coercive control, the gendered nature of power and control in these dynamics, the different types of violence encompassed under the umbrella term of 'coercive control', and what the introduction of the offence means in practice. This should also consider what behaviours may constitute criminal offending and how victim-survivors can seek support and report concerns.

The Queensland Government's *Coercive control communication framework* provides an example of a best-practice communications framework, informed by significant consultation.¹⁰ This work should also be informed by the Victim Survivor Voices project, and in particular the partnership between Women's Health Matters and Sisters in Spirit Aboriginal Corporation to hear from Aboriginal and Torres Strait Islander women on culturally grounded responses and community understandings of coercive control.¹¹

- b. Implement a comprehensive, multi-sectoral approach to raise the capacity and capability of those working across multiple settings and sectors to understand and respond appropriately to coercive control. This includes mandatory ongoing training on coercive control, the gendered drivers of violence, and cultural responsiveness for police, prosecutors and legal professionals.
- c. Ensure that whole-of-system oversight mechanisms established prior to offence commencement include the domestic, family and sexual violence, legal, and Aboriginal and Torres Strait Community-Controlled sectors, and include a focus on preventing coercive control through achieving change in awareness, policies and systems across multiple sectors and settings.

Feedback relating to specific elements of the proposed Bill

Unintended harms from criminalising coercive control

Criminalisation *alone* will not stop or reduce the incidence of coercive control and may produce unintended consequences including the over-criminalisation of particular groups. Victim-survivors who have supported criminalisation acknowledge the limits of this form of responsive action, viewing it more so as a means to improve systemic responses for future survivors.¹² Importantly, in the ACT context victim-survivors (regardless of whether they supported criminalisation) have reiterated that significant work to strengthen systems, services and implementation should occur before the offence commences.¹³

Disproportionate impact on Aboriginal and Torres Strait Islander women

There are also shared concerns that criminalisation, together with a shift to a *course of conduct* approach to investigation per s 72J(1)(b)¹⁴, may increase risk of misidentification and incarceration of Aboriginal and Torres Strait Islander women¹⁵. For Aboriginal and Torres Strait

Islander women in Australia, domestic violence and incarceration are inextricably linked. Existing research shows us that approximately 90% of incarcerated Aboriginal and Torres Strait Islander women have previously experienced intimate partner violence.¹⁶ These realities underscore why implementation safeguards, workforce capability and culturally grounded responses are not peripheral considerations, but essential.

Deterring help-seeking by women experiencing family violence

Criminalisation may also inhibit help seeking from refugee, new migrant women, LGBTQIA+ people, and women with disabilities, who already encounter additional discriminatory barriers. Official reporting of domestic, family and sexual violence in Australia underestimates the prevalence of victim-survivor experiences because many victim-survivors face complex barriers to engaging with formal systems (e.g., fear of retribution and unintended impacts of engaging with specialist services).^{17,18}

ACT victim-survivors consulted through the Victim Survivors Voices project identified barriers including distrust of justice systems, limited information about supports, police, legal and court professionals' capability to engage with and respond to victim-survivors, and experiences of re-traumatisation (including concerns about physical safety when leaving courthouses).¹⁹ This reinforces that legislative reform alone cannot improve safety without corresponding work and investment in service capability, workforce development and trauma-informed justice responses.

The potential of criminal laws, if introduced without work to address rates of misidentification of the primary perpetrator and to increase broader understanding of the gendered dynamics of violence, could be used as a form of systems abuse against women experiencing violence.

Recommendations:

2. As part of the ACT Government's whole-of-system oversight and implementation approach:
 - a. Engage with the specialist domestic, family and sexual violence, legal, and Aboriginal and Torres Strait Islander Community-Controlled sectors to develop an implementation plan for the proposed Bill, prior to the introduction of any new laws, to carefully plan and sequence activities across the spectrum of prevention, intervention and response. This should draw on the work being done by Women's Health Matters and Sisters in Spirit Aboriginal Corporation as outlined in Recommendation 1 a.
 - b. Develop mechanisms to identify and respond to any increase in service demand as a result of this legislation through increased resourcing and funding to front line services.
 - c. Develop mechanisms for external and ongoing monitoring and accountability, designed in collaboration with the ACT legal and Aboriginal and Torres Strait Islander community-controlled sectors. This should include monitoring the implementation of the offence, identifying any unintended consequences

adverse impacts on Aboriginal and Torres Strait Islander women. This may be achieved through the Coercive control advisory committee proposed in the legislation, as outlined in Recommendation 5.

- d. Review data, policies, practices and training across the justice and complementary systems to prevent misidentification of the primary perpetrator.

Strengthening the Coercive control advisory committee

The establishment of the Coercive control advisory committee (under Pt 21 of the proposed Bill) provides an important opportunity to embed primary prevention and implementation oversight within the legislative framework. Given the Coercive control advisory committee's broad statutory functions²⁰, relatively minor textual amendments could strengthen alignment between the Bill and the ACT DFSV Strategy while improving transparency and accountability.

Recommendations:

Amendments to strengthen alignment between the proposed Bill and the ACT DFSV Strategy include:

3. an amendment to the text of the proposed Bill at Pt 21, s 433(2) to clarify the Coercive control advisory committee's functions to include advising the responsible Minister on education and awareness raising initiatives, primary prevention approaches and broader impacts of the offence, especially any unintended impacts on victim-survivors.
4. an amendment to the text of the proposed Bill at Pt 21, s433(3) to require representation from the following sectors: primary prevention, specialist domestic, family and sexual violence response services, Aboriginal and Torres Strait Islander community-controlled organisations, healthcare consumers advocacy, primary health networks²¹, behaviour change, and victim-survivor and justice advocacy.
5. an amendment to the text of the proposed Bill at Pt 21, s 433 to include a further provision requiring the Coercive control advisory committee to develop mechanisms for external and ongoing evaluation, monitoring and accountability, designed in collaboration with the ACT legal and Aboriginal and Torres Strait Islander community-controlled sectors. The co-designed mechanism should be produced before the Committee's expiry (after 3 years) and may include advice regarding offence implementation evaluation, identification and analysis of unintended consequences and recommendations for future work and legislative reforms.

Conclusion

The ACT Government has an opportunity not simply to introduce a new offence, but to demonstrate how criminalisation can be implemented consistently with the evidence. While the criminalisation of coercive control is an increasingly common feature of jurisdictional responses to gender-based violence, there is limited evidence to suggest that it sufficiently improves the safety of women as a standalone intervention.

Population-level primary prevention efforts, as part of broader nationally coordinated strategies, remain the only way to prevent violence, including coercive control as a long-term strategy.

By embedding primary prevention and aligning the proposed Bill with the ACT DFSV Strategy, the National Principles to Address Coercive Control, we can help to ensure the legislation contributes to safer and more equitable outcomes for victim-survivors. The ACT Government must commit to ongoing meaningful engagement with the domestic, family and sexual violence, legal and Aboriginal and Torres Strait Islander Community-Controlled sectors to strengthen implementation and minimise the risk of unintended consequences.

In doing so, the ACT Government can ensure the Bill not only strengthens responses to coercive control but also contributes to the long-term primary prevention goal of preventing violence before it occurs.

¹ Safe and Equal (2026). *Coercive control in the Victorian context: Continuing the conversation*. Retrieved from: https://safeandequal.org.au/wp-content/uploads/Safe-and-Equal_Coercive-control-position-paper_February-2026-FINAL.pdf.

² Our Watch (2021). *Change the story: A shared framework for the primary prevention of violence against women in Australia* (second edition). Retrieved from: <https://assets.ourwatch.org.au/assets/Key-frameworks/Change-the-story-Our-Watch-AA.pdf>.

³ See Principle 7 Embedding the National Principles in legal responses to coercive control in Attorney-General's Department (2023). *National Principles to Address Coercive Control in Family and Domestic Violence*, Commonwealth of Australia, Canberra. Retrieved from: <https://www.ag.gov.au/system/files/2023-09/national-principles-to-address-coercive-control-family-and-domestic-violence.PDF>

⁴ Attorney-General's Department (2023). *National Principles to Address Coercive Control in Family and Domestic Violence*, Commonwealth of Australia, Canberra. Retrieved from: <https://www.ag.gov.au/system/files/2023-09/national-principles-to-address-coercive-control-family-and-domestic-violence.PDF>

⁵ See in particular Action 4.1 Strengthen community awareness of coercive control, to build community literacy in identifying coercive controlling behaviours, what to do and where to go for support, including opportunities for tailored approaches to reach priority communities; Action 5.9 Embed a whole-of-system oversight and implementation approach to criminalisation of coercive control in preparation for offence commencement; and Action 5.10 Consider workforce capability and capacity requirements to effectively implement criminalisation of coercive control.

⁶ Our Watch (2021). *Change the story. A Shared framework for the primary prevention of violence against women in Australia* (second edition). Retrieved from: <https://assets.ourwatch.org.au/assets/Key-frameworks/Change-the-story-Our-Watch-AA.pdf><https://media-cdn.ourwatch.org.au/wp-content/uploads/sites/2/2021/11/18101814/Change-the-story-Our-Watch-AA.pdf>

⁷ Our Watch (2018). *Changing the picture. A national resource to support the prevention of violence against Aboriginal and Torres Strait Islander women and their children*. Retrieved from: <https://assets.ourwatch.org.au/assets/Key-frameworks/Changing-the-picture-AA.pdf>

⁸ Our Watch, & Women with Disabilities Victoria. (2022). *Changing the landscape: A national resource to prevent violence against women and girls with disabilities*. Retrieved from: <https://assets.ourwatch.org.au/assets/Key-frameworks/Changing-the-landscape-AA.pdf>

- ⁹ Our Watch, & ANROWS (2017). Counting on change. A guide to prevention monitoring. Retrieved from: https://assets.ourwatch.org.au/assets/Key-frameworks/Counting-on-Change_AA.pdf
- ¹⁰ Department of Families, Seniors, Disability Services and Child Safety 2026, *Coercive control communication framework*, Queensland Government, viewed 7 July 2026, <<https://www.families.qld.gov.au/our-work/domestic-family-sexual-violence/dfv-prevention/frameworks/coercive-control-communication-framework>>.
- ¹¹ See Women's Health Matters (2026). Victim Survivor Voices update June 2026. Retrieved from: <https://womenshealthmatters.org.au/2026/06/29/victim-survivor-voices-update-june-2026/>
- ¹² See for example Fitz-Gibbon, Kate; Reeves, Ellen; Meyer, Silke; Walklate, Sandra (2023). Victim-survivors' views on and expectations for the criminalisation of coercive control in Australia: Findings from a national survey. Monash University. Report. Retrieved from: <https://doi.org/10.26180/22309345.v3>; and Safe and Equal (2026). *Coercive control in the Victorian context: Continuing the conversation*. Retrieved from: https://safeandequal.org.au/wp-content/uploads/Safe-and-Equal_Coercive-control-position-paper_February-2026-FINAL.pdf
- ¹³ Women's Health Matters (2025). 'Too urgent to rush': Victim Survivor Voice consultation report for improving ACT justice system responses and community awareness of coercive control (2025). ISBN: 978-1-7644088-1-3. Retrieved from: <https://womenshealthmatters.org.au/wp-content/uploads/2025/11/VSV-Coercive-Control.pdf>
- ¹⁴ See the Crimes (Coercive Control) Amendment Bill 2026. Retrieved from: https://www.legislation.act.gov.au/View/b/db_74340/current/html/db_74340.html
- ¹⁵ See for example Aboriginal Legal Service (NSW/ACT) Limited (2022). ALS Submission on the Crimes Legislation Amendment (Coercive Control) Bill 2022. Retrieved from: https://assets.nationbuilder.com/alsnswact/pages/1083/attachments/original/1711513101/ALS_Submission_on_Draft_Exposure_Crimes_Legislation_Amendment_%28coercive_control%29_Bill_2022_%28NSW%29_2.9_Redacted.pdf?1711513101
- ¹⁶ Fischer, L., Wilson, M., Schofield, P.W., Jones, J., Kariminia, A., Barrett, E., Dean, K., Sullivan, E., Covington, S. and Butler, T. (2025) 'Exposure to childhood adversity and intimate partner violence in a sample of incarcerated women in Australia', *International Journal of Offender Therapy and Comparative Criminology*, 69(15), pp. 2131–2148. Available at: <https://doi.org/10.1177/0306624X241270577>
- ¹⁷ Freeman, K. 2023, *Domestic and Family Violence trends in NSW, July 2010 to June 2022: update*, Bureau Brief no. 167, NSW Bureau of Crime Statistics and Research, Sydney. Retrieved from: <https://bocsar.nsw.gov.au/documents/publications/bb/bb151-200/bb167-report-dfv-trends-nsw.pdf>.
- ¹⁸ Hegarty, K., McKenzie, M., McLindon, E., Addison, M., Valpied, J., Hameed, M., Kyei-Onanjiri, M., Baloch, S., Diemer, K., & Tarzia, L. (2022). *"I just felt like I was running around in a circle": Listening to the voices of victims and perpetrators to transform responses to intimate partner violence* (Research report, 22/2022). ANROWS.
- ¹⁹ Women's Health Matters (2025). 'Too urgent to rush': Victim Survivor Voice consultation report for improving ACT justice system responses and community awareness of coercive control (2025). ISBN: 978-1-7644088-1-3. <https://womenshealthmatters.org.au/wp-content/uploads/2025/11/VSV-Coercive-Control.pdf>
- ²⁰ See Pt 21, s 433(2) of the Crimes (Coercive Control) Amendment Bill 2026. Retrieved from: https://www.legislation.act.gov.au/View/b/db_74340/current/html/db_74340.html
- ²¹ See for example Women's Health Matters (2026). Evidence Paper: The Intersection of Health, Violence, and Systemic Inequity in the ACT. Retrieved from: <https://womenshealthmatters.org.au/wp-content/uploads/2026/06/WHM-Evidence-Paper-Health-Violence.pdf>