



Submission cover sheet

Inquiry into the Crimes (Coercive Control) Amendment Bill 2026

Submission number: 009

Submitter: Canberra Rape Crisis Centre

Date authorised for publication: 15 July 2026



Canberra Rape Crisis Centre Submission: *Crimes (Coercive Control) Amendment Bill 2026*

About the Canberra Rape Crisis Centre

The Canberra Rape Crisis Centre (CRCC) is a not for profit organisation and the only specialist organisation working to eliminate sexual violence in the ACT. Our services are available for anyone who has experienced any form of sexual violence, whether recently or in the past.

We provide free trauma-informed crisis counselling, advocacy and therapeutic support for people who have experienced sexual violence and their supporters. Our service is informed by 50 years of practical expertise and a deep understanding of victim-survivors and their journey of healing.

Introduction

CRCC welcomes the opportunity to provide a submission to the inquiry on the *Crimes (Coercive Control) Amendment Bill 2026* (the Bill). We appreciate the opportunity to be involved in the Minister for the Prevention of Domestic, Family and Sexual Violence's Steering Committee on the Criminalisation of Coercive Control between October 2025 and May 2026. We recognise and value the ACT Government's commitment to protect victim-survivors and hold perpetrators of domestic and family violence and sexual violence (DFV and SV) to account.

Coercive control is a pattern of controlling behaviour used by a perpetrator to establish and maintain control over another person (ANROWS, 2021). Within the context of sexual violence, coercive control limits a person's ability to make free, informed decisions regarding their sexual activity. Perpetrators use psychological, emotional or physical tactics to intimidate, pressure and dominate victim-survivors, forcing them into sexual acts without their consent (Darwin Centre Against Sexual Violence).

Sexual violence is widespread and under-reported. Nationally, 1 in 5 women and 1 in 16 men have experienced sexual violence since the age of 15 (Australian Bureau of Statistics, 2023). Child sexual abuse affects more than 1 in 3 girls and 1 in 5 boys (Haslam et al, 2023). In Canberra, a recent health survey showed that 2 in 5 of women who responded had experienced sexual violence (Women's Health Matters, 2025).

CRCC supports the proposed Bill and the improvements it brings to legislative responses for victim-survivors. This submission responds to various components of the Bill and makes recommendations to further strengthen the legislative framework and its practical implementation.

We also support the submission of YWCA Canberra to this inquiry. In particular, we direct the Committee's attention to YWCA Canberra's concerns that without an amendment to the *Crimes Act 1900*, a perpetrator may be able to delay legal proceedings through a manipulation of the system, which prolongs victim-survivors' exposure to harm.

Feedback

1. Scope of Relationship

As the Bill's Explanatory Statement identifies, coercive control can be perpetrated in broader family relationships such as domestic and intimate partnerships, against children or young people by parents or relatives, against parents or elders by adult children or grandchildren, or between siblings (Commonwealth of Australia, 2023). CRCC commends this inclusive approach, which extends beyond the narrower scope adopted in some other jurisdictions (i.e. New South Wales and South Australia), where coercive control offences are limited to current or former domestic or intimate partners.

However, CRCC emphasises that coercive control can also be perpetrated in a range of settings and relationships where sexual violence occurs beyond family members. This includes settings outside the home including workplaces, sporting groups, nursing homes, group homes, disability and aged care support providers, daycares, schools and community or religious groups. This was reinforced in the Women's Health Matters 2025 report, *'Too Urgent to Rush: Victim Survivor Voice consultation report for improving ACT justice system responses and community awareness of coercive control'*. Victim-survivors highlighted that coercive control can occur in any relationship context where there is an imbalance of power including workplaces, care and education settings (Women's Health Matters, 2025).

Other Australian jurisdictions have already recognised the need to look beyond family relationships. For example, Queensland has expanded its offence to include informal care relationships, where an individual depends on another for help with daily activities, provided it is not a commercial arrangement (*Domestic and Family Violence Protection Act 2021*, section 20).

To ensure all victim-survivors of sexual violence are covered by this offence, CRCC recommends expanding the Bill's scope of relationships. At a minimum, the ACT should adopt a broader approach in line with Queensland's inclusion of informal care relationships. However, we recommend the Committee go further by explicitly expanding the definition to include volunteer and commercial relationships (such as coaches, teachers, medical professionals and carers) where imbalances of power can be exploited.

Recommendation 1: Expand the Bill's scope of relationship beyond family members to, at a minimum, align with Queensland's inclusion of informal care relationships, and include volunteer and commercial relationships.

2. Fault Element of the Offence

An offence is committed under the proposed Bill if a person intends the course of conduct to coerce or control a family member. CRCC is concerned that restricting the fault element to 'intention' will set a high evidentiary threshold, resulting in low prosecution and conviction rates.

This risk has played out in other jurisdictions such as New South Wales. Since the commencement of a standalone coercive control offence on 1 July 2024, the NSW Bureau of Crime Statistics and Research has reported 473 coercive control incidents recorded by NSW Police between July 2024 and December 2025. Of these incidents, only 22 charges were laid (1 was proven, 4 withdrawn by the prosecution and 17 remain pending before the court as of 31 December 2025). While the first custodial sentence was imposed in early 2026 (*Police v Farleigh*), the data demonstrates low prosecution and conviction rates.

This high evidentiary barrier cannot be viewed in isolation from the chronic under-reporting of sexual violence. Victim-survivors continue to face systemic barriers when seeking protection and justice. We know that 92% of women who experienced sexual violence by a male did not report their most recent incident to the police (Australian Bureau of Statistics, 2023). For these reasons, CRCC recommends including 'recklessness' and 'intention' as the fault element of the offence. This approach aligns with the model established in Scotland under the *Domestic Abuse (Scotland) Act 2018*.

Recommendation 2: Amend the Bill's fault element to include 'recklessness' as well as 'intention' to ensure victim-survivors are not left unprotected by a high evidentiary threshold.

3. Implementation

CRCC supports part 21 of the Bill, which establishes an advisory committee to advise the responsible Minister about the offence. This committee will be a crucial oversight mechanism to guide the implementation of the Bill. We support YWCA Canberra's submission, which recommends enhancing data monitoring and analytical reporting as a priority before the offence commences.

Australia's National Research Organisation for Women's Safety (ANROWS) policy brief on defining and responding to coercive control highlights that legislative change on its own cannot transform the culture of responses to coercive control within and around the legal system (ANROWS, 2023).

A pressing issue for victim-survivors of sexual violence when seeking protection and justice is the misidentification of the predominant aggressor during police call outs and legal responses. Multiple inquiries have documented high rates of women and other marginalised groups being wrongly identified

as aggressors due to the failure to assess broader contexts of DFV and SV, such as coercive control (Victorian Government, 2021; ANROWS, 2023; ABC News, 2024). Misidentification can be driven by incident-based police responses to DFV and SV, which focus on responding to one incident of violent behaviour and overlook the continuing context of coercive control (Nancarrow et al., 2020). The consequences are serious including inappropriate legal action and a loss of access to children, housing or support.

In addition, a 2024 national survey on the criminalisation of coercive control sought to understand the views and experiences of victim-survivors. Throughout the interviews, victim-survivors highlighted their distrust for police to effectively implement any new offence on coercive control and stressed the importance of training alongside any new laws (Fitz-Gibbon et al, 2024).

For these reasons, CRCC recommends police officers, prosecutors and judicial officers are given adequate and ongoing training on coercive control to ensure the implementation of the offence meets its policy objectives.

Recommendation 3: Ensure police officers, prosecutors and judicial officers receive ongoing education and training to maintain their capability in relation to coercive control and the new offence.

4. Consequential Amendment

CRCC shares concerns with YWCA Canberra that without additional amendment to the *Crimes Act 1900*, perpetrators of coercive control will exploit proceedings to prolong and amplify ongoing harm on victim-survivors. Enabling perpetrators to manipulate the system and extend their control does not align with the policy objective of this reform. As such, we support YWCA's submission, which outlines in more detail why the offence must be able to be summarily disposed of in the Magistrates Court without requiring the defendant's consent.

Recommendation 4: Amend the *Crimes Act 1900* to allow coercive control offences to be summarily disposed of in the Magistrates Court without requiring the defendant's consent.

Summary of Recommendations

Recommendation 1: Expand the Bill's scope of relationship beyond family members to, at a minimum, align with Queensland's inclusion of informal care relationships, and include volunteer and commercial relationships.

Recommendation 2: Amend the Bill's fault element to include 'recklessness' as well as 'intention' to ensure victim-survivors are not left unprotected by a high evidentiary threshold.

Recommendation 3: Ensure police officers, prosecutors and judicial officers receive ongoing education and training to maintain their capability in relation to coercive control and the new offence.

Recommendation 4: Amend the *Crimes Act 1900* to allow coercive control offences to be summarily disposed of in the Magistrates Court without requiring the defendant's consent.

Conclusion

CRCC welcomes the ACT Government's commitment to introducing a standalone offence for coercive control. The proposed Bill presents an opportunity to improve the safety and administration of justice for victim-survivors.

CRCC remains committed to working alongside the government, police, legal services and the broader community to ensure all victim-survivors are able to access protection and justice. As most victim-survivors seek support from specialist sexual violence services rather than engaging with the legal system, it is crucial CRCC receives adequate and ongoing funding to support our clients. This reform is also likely to increase reporting of sexual violence which further increases demand on our frontline services for victim-survivors. We will continue to highlight the need for funds to continue to meet increasing demand and complexity.

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