## FACT SHEET Coercive Control



## What is coercive control?

Coercive control is, a pattern of behaviour aimed at dominating or controlling another, and which has the effect of trapping and isolating victim-survivors.

## Why is it important to understand?

- It is common.
- It is not widely recognised in the community as domestic violence.
- It is not easy for victim-survivors to articulate what is happening or to show injuries (unlike if there is physical violence).
- It is a risk factor for homicide.
- It causes significant harm even after separation

## Is there a single legal definition?

There have been many definitions of coercive control.

As of 1 August 2023, the Queensland law (Domestic and Family Protection Act 2012 (Qld)) seeks to address coercive control by defining domestic violence to include "a pattern of behaviour" that "may occur over a period of time" and may include multiple acts which "when considered cumulatively is abusive, threatening, coercive or causes fear" and is considered looking at the whole context of a relationship.

Co-produced by North Queensland Women's Legal Service Queensland (NQWLS)



# Who perpetrates and experiences coercive control?

Coercive control is usually perpetrated by an intimate partner but may also be perpetrated by a family member.

Coercive control can be experienced by anyone. One Australian study found that, amongst the women surveyed, those who identified as Aboriginal and/or Torres Strait Islander; culturally and linguistically diverse; or had a long-term health condition were more likely to report experiencing coercive control.

## What does coercive control look like?

A list of examples of behaviours is provided below. It is important to understand that the context of the behaviour is important when considering what coercive control looks like. Behaviour which may seem harmless to an observer, may feel controlling, coercive or abusive to the victim-survivor because of the context the behaviour is experienced in.

Coercive control generally escalates over time. There may be an intense period of attention and courtship followed by gradual increases of controlling behaviour in both severity and frequency over time.

It may include an incident of physical violence but not always.

#### It may include any combination of the below behaviour:

- Threats (explicit threats to harm the victim-survivor or their children, warnings to the victim-survivor about the perpetrator's capacity to harm).
- Belittling, degradation or humiliation.
- Menacing or intimidatory behaviour or gestures directed strategically at the victimsurvivor including angry verbal outbursts, staring, silence, ignoring, withdrawal of affection.
- Monitoring, stalking or surveillance via mobile phone technologies.
- Sexual coercion, including unwanted or forced sex, being made to feel guilty for saying no, denying choice in contraception, forced abortion.
- Preventing a person from making or keeping connections with their family, friends or culture, including cultural or spiritual ceremonies or practices, or preventing the person from expressing the person's cultural identity.
- Sleep deprivation
- Jealousy, or accusations of cheating
- Isolating the victim-survivor from friends, family, and/or support systems, and sabotaging social outings. Restricting the victim-survivor from leaving the residence.

#### **Coercive Control**

- Controlling the victim-survivor's appearance or clothing choices.
- Threatening to spread rumours of mental illness or otherwise humiliate the victim-survivor.
- Requirements to answer calls from the perpetrator for monitoring purposes.
- Strangulation, choking or pinning up against a wall by the neck.
- Restricting access to finances, or monitoring of finances or spending.
- Coercing the victim-survivor to sign a power of attorney, contract for finance, loan, credit card or guarantee.
- Restricting the use of a car or phone.
- Restricting the victim-survivor from pursuing education or job opportunities.
- Restrictions and rigid rules about where the victim-survivor can eat or sleep.
- Threats or warnings to cancel a spouse visa or deportation.
- Threats or warnings of harm to extended family members.
- Threats or warnings to tell community members sensitive information about the victim-survivor.
- Threat of suicide or self-harm.
- Causing or threatening to cause the death of, or injury to, a pet.
- Damaging or threatening to damage a person's property as a means of control.

## How do victim-survivors report feeling?

#### The victim-survivor may report feeling like they are:

- Under constant pressure
- Walking on eggshells
- Worried
- On high alert
- Anxious
- Nervous
- Tired
- Exhausted
- Embarrassed
- Ashamed
- To blame for the perpetrator's behaviour
- Needing to make excuses for the perpetrator's behaviour

#### What can service providers do about this?

# In the early stages of working with a client who is experiencing, or has experienced, coercive control:

- Be aware that they may not have the words to easily articulate what is happening or what has happened.
- Treat them with kindness and without judgement.
- Provide concise targeted resources to clients to assist them to identify that they may be experiencing, or may have experienced, coercive control.
- Take care not to overwhelm them with too many brochures, referrals or information.

# When speaking with a client who is experiencing, or has experienced, coercive control:

- Try not to rush them.
- Victim-survivors value kindness, acknowledgment and feeling believed.

# Ask questions about the impact of the behaviour as clients may find this easier to articulate than specific abusive behaviour. For example:

- "Can you tell me what a typical day is like for you?"
- "How often to you see or speak to your family and friends?"
- "What typically happens if/when you disagree with your partner?

#### If you identify a client may be experiencing coercive control you may:

- Undertake a risk assessment (you can refer to the <u>National Risk Assessment Principles</u> by ANROWS which includes a list of lethality/high-risk factors).
- Consider providing assistance even when the victim-survivor appears to have high levels of capability or financial resources.
- Provide coordinated and ongoing support to assist victim-survivors to navigate the systems they may become involved with, including the legal system (victim-survivors may have identified that they were already stressed with their situation, and it may be overwhelming to have to contact another service that they have been referred to).
- Provide (or organise for) safety planning link them with their local DV Service or <u>DV</u> <u>Connect</u>.
- Make fewer and targeted referrals (as they may be feeling overwhelmed).
- Consider prioritising assistance for people who have been misidentified as the respondent in domestic violence matters. (Victim-survivors that are misidentified are already under enormous stress and may be vulnerable to consenting, which may expose them to further coercive control).

#### What legal remedies are there?

Domestic violence Protection Orders can be granted by Magistrates Courts. An application can be made by police or 'privately' by the victim-survivor.

You can see our domestic violence information sheet for further **general information about domestic violence orders.** 

If you are a service provider assisting someone to apply for a domestic violence order where there has been coercive control, **it is important to remember**:

- Your client may need to provide a lot of detail to address the criteria in the legislation.
- If you have already recorded a lot of detail in writing you could provide this to the client to minimise the need for your client to repeat themselves when dealing with other service providers.
- Avoid generalisations if you are helping them write the application such as "I am experiencing coercive control all the time".
- Avoid unnecessary detail, try instead to help them focus on specific examples with particulars including:
  - When something happened;
  - What actions or words were used;
  - How it made them feel.
- Encourage your client to obtain legal advice prior to filing the application as addressing the criteria correctly can be complicated.