

Coercive control reform tracker: Australia 2024

Orange shading indicates coercive control consideration and reform since February 2020

The purpose of this table is to capture and track coercive control reforms for intimate partner and family relationships across Australia, emphasising those reforms since the murder of Hannah Clarke and her children in February 2020. In some jurisdictions there are additional laws not included in the table below which may provide protection (for example, Peace and Good Behaviour Act 1982 (Qld)) but the purpose of this table is to capture the more specific domestic and family violence laws.

Jurisdiction	Consultation and Recommended Reforms	Criminalisation	Civil Protection Regime
National	<ul style="list-style-type: none"> 5 March 2024, the Attorney-General's Department published a suite of Coercive Control Factsheets to provide further information about coercive control and its impacts. 22 September 2023, the Standing Council of Attorneys-General released the finalised National Principles to Address Coercive Control in Family and Domestic Violence, which aim to create a shared understanding of coercive control and its impacts, and to guide considerations to inform effective responses. 29 March 2023, a Consultation Summary was published highlighting key themes and demographics of respondents to the survey. 16 September – 11 November 2022, the consultation process for the Draft National Principles was open and included an online survey and a series of targeted roundtable consultations. 14 September 2022, the Australian Government and state and territory Attorney-Generals released a Consultation Draft of the National Principles to Address Coercive Control (Draft National Principles). The Draft National Principles aim to create a shared understanding of coercive control across all jurisdictions and how to respond to it. 	<ul style="list-style-type: none"> Draft National Principle 7 leaves it to each jurisdiction to decide whether coercive control should be a specific criminal offence. 	<ul style="list-style-type: none"> Draft National Principle 7 leaves it to each jurisdiction to decide whether to amend existing civil laws that aim to protect victim-survivors from further violence, intimidation or harassment (i.e., protection orders). On 24 August 2023, the Federal Circuit and Family Court of Australia updated the Family Violence Plan and Family Violence Best Practice Principles. Both documents set out the Courts' commitment to identifying and managing family violence. The Family Violence Best practice Principles explicitly state that a person may commit family violence if they engage in coercive controlling behaviour.



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Queensland	<ul style="list-style-type: none"> 6 March 2024, the Queensland Government released its Coercive Control Communications Framework to guide best practice communications about coercive control, its nature and impacts, and upcoming changes to the laws in Queensland. The Criminal Law (Coercive Control and Affirmative Consent) and Other Legislation Amendment Bill 2023 was referred to the Legal Affairs and Safety Committee for detailed consideration, and public hearings were held on 6 November 2023 and 8 November 2023. The reporting date for the Inquiry is 19 January 2024. 11 October 2023, the Criminal Law (Coercive Control and Affirmative Consent) and Other Legislation Amendment Bill 2023 is introduced. The Bill proposes to introduce the criminal offence of coercive control. 4 August 2023, the Queensland Government released its first Annual Report for 2022-23. As at May 2023, the Report noted that 24 of the Taskforce's recommendations had been delivered, with a further 56 underway, and 9 not yet scheduled to commence. August 2023, the OIIS released its second biannual report (dated May 2023). The OIIS observed a strong and genuine commitment by the Government to implement the Taskforce's recommendations. 21 December 2022, the OIIS released its first biannual report noting that 14 recommendations had been delivered, 60 had commenced, and 15 had not yet commenced. 21 November 2022, the Queensland Government appoints the Office of the Independent Implementation Supervisor (OIIS) to track, among other things, the progress and adequacy of implementation of 	<ul style="list-style-type: none"> 18 March 2024, the Criminal Law (Coercive Control and Affirmative Consent) and Other Legislation Amendment Act 2024 receives assent. Provisions criminalising coercive control for domestic relationships will commence on a day fixed by proclamation. Coercive control will become a criminal offence under s 344C of the <i>Criminal Code Act 1899</i> (Qld). Once commenced, the new standalone offence of coercive control will carry a maximum penalty of 14 years imprisonment and will criminalise conduct of an adult where: <ul style="list-style-type: none"> the person is in a domestic relationship with another person (see definition below); the person engages in a course of conduct against the other person that consists of domestic violence occurring on more than one occasion; the person intends the course of conduct to coerce or control the other person; and the course of conduction would, in all circumstances, be reasonably likely to cause the other person harm (with 'harm' defined in the Bill to mean any detrimental effect on the person's physical, emotional, financial, psychological or mental wellbeing, whether temporary or permanent). <p>(Domestic relationship is defined as a 'relevant relationship' under the Domestic and Family Violence Protection Act 2012 (QLD) which include intimate personal relationships, family relationships and informal care relationships.)</p>	<ul style="list-style-type: none"> 22 February 2023, the Queensland Government passed the Domestic and Family Violence Protection (Combating Coercive Control) and Other Legislation Amendment Bill 2022 (Qld). These changes came into effect on 1 August 2023 The Bill introduced 'a pattern of behaviour' into the meaning of domestic violence. Behaviours listed include keeping a person in a dependent relationship, and isolating a person from family, friends and other sources of support (s8). The Bill introduces a requirement for the court to decide the party most in need of protection where there are cross applications with both parties to a relationship alleging violence (s41G) Protection orders are made for people in 'relevant relationships' under the Domestic and Family Violence Protection Act 2012 (Qld). Relevant relationships include intimate personal relationships, family relationships and informal care relationships (s13).



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	<p>the Government's response to the Hear her voice Report 1.10 May 2022, the Queensland Government responded to the Taskforce accepting the 89 recommendations including criminalisation of coercive control.</p> <ul style="list-style-type: none"> 2 December 2021, the Taskforce released Hear her voice Report 1 Addressing coercive control and domestic and family violence in Queensland with 89 recommendations for reform. 27 May 2021, Queensland's Women's Safety and Justice Taskforce commenced community consultation on how best to legislate against coercive control (Discussion Paper 1) 	<p><u>History of the Bill</u></p> <ul style="list-style-type: none"> 6 March 2024 the Criminal Law (Coercive Control and Affirmative Consent) and Other Legislation Amendment Bill 2023 was passed in Queensland Parliament to (among other things) criminalise coercive control for domestic relationships. 11 October 2023, the Criminal Law (Coercive Control and Affirmative Consent) and Other Legislation Amendment Bill 2023 is introduced. The Domestic and Family Violence Protection (Combating Coercive Control) and Other Legislation Amendment Bill 2022 (Qld) renames the offence of unlawful stalking will be renamed to 'Unlawful stalking, intimidation, harassment or abuse' in the Criminal Code Act 1899 (Qld) (Ch33A). This change came into effect on 1 August 2023. 22 February 2023, the first stage of legislation against coercive control passed Parliament and lays the foundation to create a standalone offence of coercive control. 	
<p>South Australia</p>	<ul style="list-style-type: none"> The Government of South Australia Office for Women released various discussion and summary papers proposing legislation to criminalise coercive control in South Australia. Each paper targets a different community of people who are impacted by coercive control. The page was last updated on 28 September 2023. 29 August 2023, the SA Government opened public consultation on their draft Criminal Law Consolidation (Coercive Control) Amendment Bill 2023 (SA). The draft Bill seeks to 	<ul style="list-style-type: none"> Coercive control is not currently a standalone offence in South Australia. The SA Government have committed to criminalising coercive control. 29 August 2023, the SA Government released its draft Criminal Law Consolidation (Coercive Control) Amendment Bill 2023 (SA). The draft Bill seeks to criminalise coercive controlling behaviours between people in a relationship. For the purposes of the inserted division, a relationship means two 	<ul style="list-style-type: none"> Intervention orders are made for the protection of any person (against whom it is suspected the defendant will commit an act of abuse) under the Intervention Orders (Prevention of Abuse) Act 2009 (SA) (s7). The principles for intervention against abuse include that abuse may involve overt or subtle exploitation of power imbalances and may consist of isolated incidents or patterns of behaviour (s10(1)(b)). It also includes that it is of primary importance to prevent abuse and to prevent children from being exposed to the



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	<p>criminalise coercive control within a current or former domestic or intimate personal relationship. The Bill has been drafted to be flexible to different cultures and people (i.e. LGBTIQ+ people, people with disabilities, Indigenous people etc.).</p> <p>Consultation for the draft Bill closed on 10 October 2023, with the final outcomes yet to be released.</p> <ul style="list-style-type: none"> 12 April 2023, the SA Government launched its public awareness campaign across social media platforms Instagram, Facebook, TikTok, YouTube and Snapchat and on bus shelters around the metropolitan area targeting young people to 'see the signs' of coercive control. 28 September 2022, the SA Government confirmed that consultation with a wide range of groups and other jurisdictions had started. Once the consultations have concluded, the Government will put draft legislation before parliament. May 2022, the SA Government published its Overview of Submissions from the 22 submissions received for the consultation. April 2022, No to Violence release their submission to the South Australian Government regarding the implementation considerations for criminalising controlling behaviours. 2 February 2022, the SA Government sought submissions following its release of Discussion Paper: Implementation considerations should coercive control be criminalised in South Australia. September and October 2021, a consultation on a proposed South Australian office of coercive control was conducted. There were 173 respondents to the public survey and 31 	<p>people who are/ were married, are/ were domestic partners, or are/ were in some form of intimate personal relationship in which their lives are/ were interrelated and the actions of 1 affects/ affected the other.</p> <p>The term "intimate personal relationship" is not defined in the draft Bill or any South Australian statute. However, it is used similarly in the Principal Act (see sections 5AA(4a)(c) and 20A(3)(c)). The Coercive Control Community Guide explains (p5) that the Bill is focused only on coercive control against spouses, domestic partners or intimate partners to focus on 'the area of highest risk'</p> <p>Under the draft Bill, a person commits the offence if:</p> <ul style="list-style-type: none"> the person engages in a course of conduct that has a controlling impact on another person; the person intends by that course of conduct to have a controlling impact on the other person, or cause serious apprehension or fear in the other person; and a reasonable person would consider the controlling impact on the other person resulting from the course of conduct to be serious. <p>The draft Bill defines a course of conduct that has a controlling impact as behaviour that, either directly or indirectly, restricts one or more of the following:</p> <ul style="list-style-type: none"> the other person's freedom of movement; the other person's freedom of action; 	<p>effects of abuse (s10(1)(c)). These principles were included when the Act was first passed in 2009 and have remained unchanged. The principles do not include the term "coercive control".</p> <ul style="list-style-type: none"> Domestic abuse applies where two persons are, (among other things) married, domestic partners, in some other form of intimate personal relationship, one is the child, stepchild or grandchild of the other (regardless of age), and otherwise related to each other by or through blood, marriage, domestic partnership or adoption (s8). Domestic abuse also applies where two people are related according to Aboriginal or Torres Strait Islander kinship rules or are both members of some other culturally recognised family group (s8).



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	<p>detailed submissions received to this consultation.</p>	<ul style="list-style-type: none"> the other person’s ability to engage in social, political, religious, cultural or economic activities; the other person’s bodily autonomy; the other person’s ability to access basic necessities, support services or property they own or reside. <p>It is a defence to a charge of coercive control if the defendant’s alleged course of conduct is reasonable in all the circumstances.</p> <p>The offence holds a maximum penalty of 7 years imprisonment.</p> <ul style="list-style-type: none"> 17 November 2022 the Government confirmed that, in line with its election commitments, it will be introducing legislation to criminalise coercive control in 2023 as well as exploring the many aspects of community awareness, training and resourcing that are needed to support the implementation of future legislation. The SA Government has confirmed it is committed to hearing the voices of victim survivors, at-risk groups, women who live in regional areas, women from diverse cultural backgrounds and Aboriginal women. The most recent Bill introduced in October 2021 (Criminal Law Consolidation (Abusive Behaviour) Amendment Bill 2021 (SA)) has now lapsed. This Bill limited the offence of ‘engaging in abusive behaviour’ to persons who are married, domestic partners or some other form of intimate personal relationship (s20B(10)). 	



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<p>Western Australia</p>	<ul style="list-style-type: none"> 28 November 2023, the Office of the Commissioner for Victims of Crime released their report on legislative responses to coercive control following extensive community consultation. The report establishes 24 recommendations for future reform, including the consideration of a new criminal offence addressing coercive control. The report acknowledges coercive control within a range of different relationships including older people and children in their own right. 19 September 2023, a special taskforce formed to help guide the next phase of WA's commitment to address family and domestic violence. A key function of the taskforce is to start the consultation with people with lived experience. 11 December 2022, the WA Government released a media statement sharing a consultation snapshot and noting that more than 300 submissions had been received. The Commissioner will present a final report to Government in 2023. March 2022, the WA Government community consultation on coercive control commenced. The review will consider whether the Government needs to change laws to better protect victim-survivors or coercive control. 	<ul style="list-style-type: none"> 28 November 2023, following the Commissioner for Victims of Crime's report, the WA Government released a media statement indicating there would be a phased approach to the criminalisation of coercive control, commencing with systematic reform and education and training prior to a standalone criminal offence of coercive control. There has been no statement yet in relation to the introduction of a stand-alone offence for coercive control, however the March 2022 community consultation paper considered criminalisation. 	<ul style="list-style-type: none"> Restraining orders are made to protect family members against family violence under the Restraining Orders Act 1997 (WA). Family members include, among other things, a relationship between two persons who are, or were, married to each other, in a de facto relationship, related to each other and one of whom is, or was, a child whom the other person is a guardian (s4(1)). 28 November 2023, following the Commissioner for Victims of Crime's report, the WA Government released a media statement indicating there would be reforms to the <i>Restraining Orders Act 1997</i> to better reflect the patterned nature of coercive control behaviours, and their cumulative effect. 2020, the Family Violence Legislation Reform Act 2020 (WA) expanded the definition of family violence to include coercing in connection with demanding or receiving dowry, before or after a marriage. 1 July 2017, family violence was defined in the Act following the Restraining Orders and Related Legislation Amendment (Family Violence) Act 2016 (WA). Family Violence includes any other behaviour by a person that coerces or controls the family member or causes the member to be fearful (s5A).



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Northern Territory	<ul style="list-style-type: none"> 1 June 2023, the Northern Territory Government released an exposure draft of the Justice Legislation Amendment (Domestic and Family Violence) Bill 2023 (NT) which proposes amendments to the civil protection regime under the Domestic and Family Violence Act 2007 (NT). The Government sought public feedback on the Bill until 22 August 2023. August 2022, the Department of the Attorney-General and Justice released the Review of Legislation and the Justice Responses to Domestic and Family Violence in the Northern Territory for consultation. <p>May 2021, the Territory's Domestic, Family and Sexual Violence Cross Agency Working Group agreed that there was 'a need to consider changes to the law and policy to effectively address coercive control as an integral part of DfV'.</p>	<ul style="list-style-type: none"> 25 October 2023, the Northern Territory Government introduced the Justice Legislation Amendment (Domestic and Family Violence) Bill 2023 (NT) into parliament which will, among others, make amendments to the Criminal Code 1983 (NT) and the Sentencing Act 1995 (NT). <p>These changes are made to reflect the amendments to the <i>Domestic and Family Violence Act 2007 (NT)</i>, ensuring consistency among legislation. The Bill as passed will not enact a standalone criminal offence for coercive control.</p> <ul style="list-style-type: none"> 1 June 2023, exposure draft <i>Justice Legislation Amendment (Domestic and Family Violence) Bill 2023 (NT)</i> does not propose a standalone criminal offence for coercive control. Coercive control has not been criminalised in NT though criminalisation was put forward as an option for consideration in the August 2022 consultation. 	<ul style="list-style-type: none"> Domestic Violence Orders are made to protect persons in a domestic relationship against violence under the Domestic and Family Violence Act 2007 (NT). A person is in a domestic relationship with another person if the person is, among other things,: <ul style="list-style-type: none"> A spouse or de facto partner of the other person; Is otherwise a relative of the other person; Has or had the custody or guardianship of the other person; Is or has been in an intimate personal relationship with the other person; or Ordinarily or regularly lives with the other person (s9)(s10). Two persons are in an intimate personal relationship if they are engaged to be married to each other or if they date each other, regardless of whether the relationship involves a sexual relationship (s11). Domestic violence includes intimidation which is defined to include conduct that causes a reasonable apprehension of violence to the person, including sexually coercive behaviour (s6). Domestic violence also includes economic abuse which is defined to include coercing a person to relinquish control over assets or income (s8). 28 November 2023, following the public consultation process, the Northern Territory Government passed the Justice Legislation Amendment (Domestic and Family Violence) Bill 2023 (NT). The Bill will commence on a day fixed by Gazette notice or otherwise 16 October 2025. <p>Once commenced, the Bill will make key changes to the Domestic and Family Violence</p>



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			<p>Act 2007 (NT). These changes include, but are not limited to:</p> <ul style="list-style-type: none"> expanding the definition of 'domestic violence' to include, among other things, coercive control, emotional or psychological abuse and the use of technology to facilitate abuse where two persons are in a domestic relationship, or where a non-consensual sexual act occurred between them (s7); expanding the definition of 'domestic relationship' to include, among other things, ex-partners of current partners (and vice versa) and family members of current partners (and vice versa) (s9); redefining 'intimate personal relationship' to include two persons who have engaged in a sexual act or sexual contact (s11); <p>Of note is parts 2.4 to 2.10 being repealed and replaced in their entirety to provide more clarity and logical structure around the DVO process.</p> <ul style="list-style-type: none"> Inclusive in this is a new obligation for police to provide Courts with the respondent's criminal and DVO history and the protected person's DVO history. This will allow Court to be better informed and be better equipped to assess whether the actual person in need of protection has been correctly identified.



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Tasmania	<ul style="list-style-type: none"> August 2003, the Tasmanian Department of Justice and Industrial Relations released an Options Paper proposing a new model for addressing family violence within criminal law. It included recommendations to broaden the definition of family violence to include non-physical forms of abuse. 	<ul style="list-style-type: none"> Economic abuse, emotional abuse and intimidation are offences under the Family Violence Act 2004 (TAS) and encompass coercive and controlling behaviours. This offence is punishable by fine not exceeding 40 penalty units or imprisonment for a term not exceeding two years (s8)(s9). The offences are limited to relationships of spouse or partner. 	<ul style="list-style-type: none"> In Family violence orders can be made under the Family Violence Act 2004 (TAS) to prevent the commission of family violence against an affected person or to protect any other person named in the order (s4, s15, s16). Family violence includes coercion and intimidation against a person's spouse or partner only (s7).
Australian Capital Territory	<ul style="list-style-type: none"> January 2022, the Domestic Violence Prevention Council Advisory Board published its Joint Discussion Paper on Criminalising Coercive Control, with a recommendation for community-led consultation with marginalised communities¹ before legislative reform is considered. The Paper also recommends the ACT Government observe implementation of legislation to criminalise coercive control in other Australian jurisdictions to inform possible approaches in the ACT. 	<ul style="list-style-type: none"> June 2022, in its 2022 Annual Safer Families Statement the ACT Government confirmed that it accepted the Advisory Board's advice of further consultation, research and observation of other jurisdictions prior to considering criminalisation. 	<ul style="list-style-type: none"> Protection orders are made for a 'family member' under the Family Violence Act 2016 (ACT). A family member includes current or former domestic partners, current or former intimate partners, relatives, a child of a current or former domestic partner, and a parent of a child (s9). The Act includes in the definition of family violence coercion or any other behaviour that (A) controls or dominates the family member; and (B) causes the family member to feel fear for the safety or wellbeing of the family member or another person (s8). This definition was included in the Act when it was first published in 2016 and has remained unchanged. Despite the inclusion of 'coercion' in the definition of family violence, the Act provides no explicit definition for what may be considered as coercive behaviour. The 2022 Joint Discussion Paper on Criminalising Coercive Control states that the coercive control provision is rarely used and recommends further exploration as to why a public education drive and increased funding may be beneficial.

¹ Including Aboriginal and Torres Strait Islander peoples, CALD communities, LGBTIQ+ and disability communities.



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<p>New South Wales</p>	<ul style="list-style-type: none"> 17 December 2021, The NSW Government responded to the Committee's report and either Supported, Supported in principle, Supported with further consideration or Noted the 23 recommendations. 30 June 2021, the Committee released its Report on Coercive Control in domestic relationships with 23 recommendations. 21 October 2020, the Joint Select Committee on Coercive Control was established to inquire into and report on coercive control in domestic relationships. 	<ul style="list-style-type: none"> The Crimes Legislation Amendment (Coercive Control) Act 2022 (NSW) commenced 1 February 2024. <ul style="list-style-type: none"> Under the Act, a standalone offence of coercive control between current or former intimate partners only (s54D) will be introduced to the Crimes Act 1900 (NSW). The offence will carry a maximum penalty of imprisonment for 7 years. The Bill also introduces a Coercive Control Implementation and Evaluation Taskforce (which commenced 12 December 2022). 	<ul style="list-style-type: none"> Following commencement of the Crime Legislation Amendment (Coercive Control) Act 2022 (NSW) the Crimes (Domestic and Personal Violence) Act 2007 (NSW) was amended on 19 February 2024 to include behaviour that coerces or controls the second person as domestic abuse (s6A). Apprehended domestic violence orders are made for people in 'domestic relationships' under the Crimes (Domestic and Personal Violence) Act 2007 (NSW). Domestic relationships include, among other things, current or former de facto relationships, current or former intimate personal relationships (whether or not the relationship is/was of a sexual nature), current or former relatives, and where a person is living or has lived in the same household as the other person (s5).
<p>Victoria</p>	<ul style="list-style-type: none"> 28 January 2023, the Victorian Government announced the implementation of the final recommendations of the Royal Commission, implementing all 227 recommendations. March 2022, the Victorian Parliament released a research paper, 'What is Coercive Control?' which considers criminalisation and notes some stakeholder opposition to criminalisation. November 2021, Members of the Victorian Legislative Council agreed to a motion that recognised the 'prevalence of coercive control in family violence offending' and called on the Government to look into ways to 'enhance the understanding of coercive and controlling behaviour in our community and the justice system'. May 2021, DV Vic and DVRCV release their report 'Responding to Coercive Control in 	<ul style="list-style-type: none"> There has been no statement in relation to the introduction of a criminal offence for coercive control in Victoria 	<ul style="list-style-type: none"> Family violence intervention orders are made for a family member under the Family Violence Protection Act 2008 (Vic). A 'Family member' includes a current or former domestic partner or spouse, a current or former intimate personal relationship, a current or former relative, a child who regularly resides with a relevant person (or has so previously), and a child of a current or former intimate personal relationship (s8). The Act includes in the definition of 'family violence' behaviour that is coercive or in any other way controls or dominates the family member and causes that family member to fear for the safety or wellbeing of that family member or another person (s5). This definition was included when the Act was first introduced in 2008 and has remained unchanged.



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	<p>Victoria – Broadening the conversation beyond criminalisation. The report discusses the current law addressing the criminalisation of coercive control. It lists five potential unintended consequences of criminalising coercive control.</p> <ul style="list-style-type: none"> • 2015, the Royal Commission into Family Violence began in Victoria. Its report and 227 recommendations were handed down in 2016. 		

