

**CRIMINAL LAW (COERCIVE CONTROL AND AFFIRMATIVE CONSENT) AND OTHER LEGISLATION  
AMENDMENT BILL 2023**

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**SUBMISSION:** Criminal Law (Coercive Control and Affirmative Consent) and Other Legislation Amendment Bill 2023

I am a victim/survivor of economic abuse and coercive control.

The Domestic and Family Violence Protection Act 2012 (Qld) defines economic abuse as behaviour that is coercive, deceptive or unreasonably controls another without their consent and in a way that denies them economic or financial autonomy.

On the 25th of May 2017, I attended a chapter event presented by the Resolution Institute (RI): Opportunities for (Dispute Resolution) DR in family law. I was at the start of my foray into the legal world and I was looking for minimally combative/costly ways of concluding a property settlement matter.

Two months prior to the RI event, I had experienced the unscrupulous unilateral severance of joint tenancy of the matrimonial property I owned in equal shares with my former husband. This occurred as a result of action taken by the family law practice that later represented my ex-husband during property settlement negotiations, divorce proceedings and legal proceedings in the Federal Circuit Court. This transaction took place on March 23, 2017, three weeks before I initiated property settlement negotiations.

Six days before the Dispute Resolution event, the accountant and tax agent, who had acted jointly for my husband and me for fifteen years - since our immigration from South Africa - and who was the alternative principal of our family trust, had withdrawn his services to me and to the discretionary family trust. He continued to act in the interests of my ex-husband and his businesses, throughout the legal process and court proceedings, until two of the businesses were declared insolvent and liquidated, at the end of 2022.

Two days before the RI event, I had a traumatising experience with my personal bankers when my access to all financial resources was removed because I had requested the branch manager to transfer money from a jointly held account to my lawyers' trust account. I hadn't dared to discuss my intentions with my former husband, prior to arranging the transfer, for fear that my access would be obstructed before I managed to transfer the money. As it happened, my access was removed, but only after I had visited the branch - accompanied by a witness - and had successfully completed the transaction.

Later, on the day that I transferred money from the joint account to my lawyers' trust account, my lawyer received a letter from my ex-husband's representative giving notice that my (then) husband had removed the balance of funds into an account held in his sole name (with the same bank) and that he had closed the "joint" credit card. My husband said that he would treat the withdrawal of funds by me as an interim property settlement to me, in any final settlement and that I would be required to contribute equally to all of the household expenses.

These uncompromising assertions of control signalled from the outset that property settlement negotiations would not be fair and balanced.

A week after I transferred the money from our joint bank account into my lawyers' trust account, I moved out of my beloved family home to a rented residence, for my personal safety and respite from psychological and emotional abuse. At that time, I was unaware of the concept of coercive control and did not know that economic and financial abuse are the most prevalent forms of domestic and family violence.

In October 2019, after I had spent all the money that I had on two private lawyers who (I assume) believed that it was in my best interests to appease my abusive husband, I initiated legal proceedings, represented by a lawyer who agreed to defer costs. Some of the records subpoenaed for the Federal Circuit Court, before a court mediation in March 2020, were withheld by the accountants/tax agents and by the bank. My ex-husband perjured his evidence and lied in his sworn affidavit of evidence in chief (I assume with the endorsement of his lawyer and barrister). It is my understanding that these acts of contempt of court are crimes that defy the authority, justice and dignity of the Court.

All the while, the investment trust, of which I am trustee and which owns the majority shareholding in both my ex-husband's businesses, never, ever received dividends or interest on loans made to the companies. Over the years, all the loans to the companies were paid back exclusively to my ex-husband.

Three lawyers and four years later, in September 2021, I exited the Federal Circuit and Family Law Court system after a disappointing final settlement was handed down by the arbitrator at the end of an unscrupulous property dispute, characterized by financial abuse, coercive control, discrimination and bullying.

In the ensuing two years, I have self-advocated in the pursuit of truth and justice, through the Australian Financial Complaints Authority/Financial Services Ombudsman and AUSTRAC and have submitted an unabridged statutory declaration, with evidence of my claims, to the Queensland Police Services for investigation. I have not left a stone unturned in my efforts to uncover the true history of identity theft, economic crimes, fraud and corruption that have left a legacy of financial disempowerment, social isolation, occupational deprivation, bereavement and trauma for me to deal with.

Where to from here?

A recent attempt to reopen an unjust property settlement dispute led me to make an appeal to my local member of the Queensland State Parliament, who is also the chair of the Legal Affairs & Safety Committee. I first made contact with his office on February 1, this year. I was referred to the Women's Legal Service and the Queensland Law Society by his

office. I was also told that I could find information and updates on impending coercive control legislation from the Attorney General's office on the State Government website.

From that time, I have been following the Ministerial Media releases daily, in the hope that an announcement will be made that will improve my experiences within the criminal justice system, hold domestic violence perpetrators to account and criminalise coercive control and compensate victims of crime.

Despite numerous announcements made by the Palaszczuk Government over the past three months, rhetoric regarding progress made in women's safety and justice reforms - including amendment of the Criminal Code to establish the offence of coercive control - promise too little, too late for victims like me.

When our freedoms are restricted unjustly and without our consent, we feel the loss as oppression and injustice. When systems fail to hold perpetrators of domestic and family abuse to account, they perpetuate the fear, grief, loss and trauma of victims and secondary victims of DFV. Funding for the safety, protection and advocacy of victims of crimes that will not fall under the coercive control banner does not exist. It is my hope that the story I have told in my submission, based on my own unique experiences, will make a contribution to the narrative that will shape my children's and grandchildren's future and that they will live to be SAFE, proud Australians.