



## Submission to the Queensland Parliament Legal Affairs and Safety Committee

### Domestic and Family Violence Protection (Combating Coercive Control) and other Legislation Amendment Bill 2022

November 2, 2022

#### Overview

The *Small Steps 4 Hannah Foundation* was established in 2020. One of its objectives is to campaign for coercive control laws in Queensland and in all other states and territories. We are grateful to the Queensland Government for hearing our concerns and bringing this Bill before the Parliament. We are not law reform experts, so we intend to share with the Committee the experience of our daughter Hannah living with coercive control. We hope that by continuing to create awareness around the red flags of coercive control, we can contribute to the effort to save lives in the future.

**Sue and Lloyd Clarke**

**Brisbane**

#### What is 'coercive control'?

Coercive control can be described as a set of behaviours used strategically by a perpetrator to create a one-sided power dynamic in an intimate relationship, which allows them to exercise significant control over that person. While this can be accompanied by physical violence (which of course can contribute to an atmosphere of intimidation), it is in reality more likely to be psychological (real and threatened) behaviour that forces an individual to bend to the other's will. Sometimes this submission may be out of fear, out of wanting to avoid confrontation, or simply because the victim is no longer able to continue fighting.

In Hannah's case, the individual behaviours we recognise in hindsight as elements of coercive control include:

- Isolating the victim from other family and friends, and limiting their access;
- Depriving the victim of basic needs, including sleep and sustenance
- Controlling basic elements of life such as where a person may go, who they may see and what they must wear;
- Denying access (refusing permission) for medical care;
- Having a previous history of violence;
- Setting unreasonable or unrealistic "rules", then punishing any breach of those rules;
- Monitoring phone and/or social media behaviour;
- Insulting and belittling the victim;
- Monitoring the person's physical location, and suddenly appearing/confronting them in public places;
- Tracking family members and friends;
- Drinking to excess;
- Becoming or threatening to become violent towards other people, particularly those close to the victim and/or perceived as a rival for affection;

- Acting violently and threatening violence against the victim;
- Threatening self-harm or suicide as a means of emotional manipulation;
- Threatening to kill the victim and those close to them;
- Threatening to share intimate photographs of the victim;
- Rape and excessive demands for sexual activity;
- Destroying or disposing of property belonging to the victim, their children or other loved ones.

### **Community attitudes.**

We believe there has been a very significant upswing in community awareness of coercive control, and support for its prohibition, in the nearly three years since Hannah, Aaliyah, Laianah and Trey were taken from us. We have to admit that we did not understand coercive control, even as our family was dealing with it on a daily basis. We knew that something was wrong with the behaviour, and we certainly knew that Hannah deserved so much better from her husband. We didn't understand that this bad behaviour had a name, could be codified and should be illegal. And, of course, we didn't know where it was leading.

Even Hannah was not fully aware of the term coercive control, even though she was fully aware of its consequences. She feared for her safety, and her fears were proved correct. But she didn't believe she was a victim of violence because "he never hits me".

As a community we are able to look, in hindsight, at what happened and agree it was coercive control. But we can't be as confident that – even had Hannah spoken out – the perpetrator's actions would have been recognised by the community as anything more than "bad behaviour". As stated above, hopefully attitudes have changed since then, and hopefully they will continue to change as this Bill is considered by Parliament and implemented.

Once these laws are passed, we would like to see a Government-funded advertising campaign to help people understand and recognise coercive control, and to understand their rights and responsibilities under the new laws. The *Small Steps 4 Hannah Foundation* has recently partnered with the *Lady Musgrave Trust* to launch a television advertising campaign about the Red Flags of coercive control, and to provide on-line access to the [Handy Guide](#) for women who are homeless or at risk of homelessness due to domestic and family violence. We encourage the Government to continue these efforts once the laws are passed, and would willingly make available the excellent advertisement already produced for the Red Flags campaign.

### **Response by the Police**

We can't speak highly enough of the effort of the Police to support Hannah. The office who took the initial complaint regularly stopped by to check on Hannah when she was at work, and we feel they provided her as much support as they were able to within the law as it currently stands. However, we also felt Police were hampered by both their workload and the lack of legislation to outlaw coercive control. In Hannah's case, after the perpetrator breached a court order and assaulted her, he was served the notices for the breach and assault but never presented himself to the Police as required. Then, 10 days later he was caught at Carindale Shopping Centre where Hannah worked, and was given another 48 hours to present to the Mt Gravatt CIB and provide a statement. As far as

we know he never did give a statement. We believe that had the perpetrator spent some time behind bars for his actions – even a night – it would have been such a shock to him and his pride that he may have changed his behaviour.

It's for the dedicated Police who want to solve the problem that we would like to see these laws in place. They are fighting a constant battle to make the world a safer place, and it would be good to give them an extra tool to get the job done. We also believe that there will be a need for training and resourcing to help some police understand the elements of coercive control, and how perpetrators strategically stitch them together to create an element of fear and intimidation.

### **Conclusion**

As stated at the outset, we are not law reform experts. In fact, we would rather not be in this discussion at all. We would prefer that we had never witnessed elements of coercive control, prefer that we had never heard the term. Certainly, we came too late to an understanding of what it is.

We support any effort to wipe this insidious behaviour from our society. We thank those who are driving this law reform process, and we look forward to the successful implementation of coercive control laws across Queensland. We urge the Committee, and then the Parliament, to support this Bill and ensure its speedy implementation.