



Criminal Law Consolidation (Coercive Control) Amendment Bill 2023

October 2023



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Our Commitment to Inclusion

The Salvation Army Australia acknowledges the Traditional Owners of the land on which we meet and work and pay our respect to Elders, past, present and future.

We value and include people of all cultures, languages, abilities, sexual orientations, gender identities, gender expressions and intersex status. We are committed to providing programs that are fully inclusive. We are committed to the safety and wellbeing of people of all ages, particularly children.

Our values are:

- Integrity
- Compassion
- Respect
- Diversity
- Collaboration

Learn more about our commitment to inclusion: salvationarmy.org.au/about-us

The Salvation Army is an international movement and our mission is to preach the gospel of Jesus Christ and to meet human needs in his name without discrimination.

More information about The Salvation Army is at **Appendix A**.





Executive Summary

The Salvation Army welcomes the opportunity to provide this submission to the South Australian Government in relation to the Criminal Law Consolidation (Coercive Control) Amendment Bill 2023 (the Bill).

The Salvation Army operates family violence services in almost all states and territories across Australia. This support includes refuge, children's and parenting services, counselling, men's programs, accommodation and advice.

It is from the experiences of our clients, as well as those of our frontline staff, that we have approached this submission. We caution that legislative reform alone will not achieve sustainable long-term outcomes for victim-survivors of family and domestic violence.

Many of our recommendations come down to the need to keep victim-survivors at the centre, and to create a family and domestic violence sector that is well informed, resourced, accessible, and culturally competent. We believe that ultimately, building and strengthening the domestic and family violence service sector, alongside legislative reform, can ensure greater and stronger protections for victim-survivors.

This submission covers:

- **The introduction of a definition of coercive control.** We discuss the introduction of the concept of “controlling impact” and suggest expanding the meaning of “in a relationship” to include a broad range of relationship types. We also discuss the need for a nationally consistent definition of family and domestic violence which encompasses non-physical forms of violence and coercive control.
- **Considerations on implementation of a criminal offence.** We highlight the importance of coinciding education and training, increased sector capacity, consideration of the needs of victim-survivors in rural and remote areas, and collaboration with Aboriginal and Torres Strait Islander people and organisations.

The Salvation Army has made **8** recommendations for the South Australian Government to consider. A summary of these recommendations follows on the next page.

Summary of Recommendations

Recommendation 1

1.9 The Salvation Army recommends that the South Australian Government ensures any definition of coercive control includes a broad range of relationship types, including former partners, family members, people in family-like relationships and kinship relationships.

Recommendation 2

1.11 The Salvation Army recommends the South Australian Government works alongside the Commonwealth Government to drive the development of a nationally consistent definition of family and domestic violence which encompasses non-physical forms of violence and coercive control.

Recommendation 3

2.6 The Salvation Army recommends the South Australian Government:

- *Focusses on prevention, early intervention, and community education including education around financial literacy and financial abuse to empower victim-survivors, particularly those within vulnerable cohorts, to seek help.*
- *Develops a comprehensive education and awareness campaign to ensure key institutions and the community more broadly obtain an understanding of coercive control and its impacts on women.*
- *Develops education campaigns in relation to active bystander interventions as a community preventative measure.*

Recommendation 4

2.23 The Salvation Army recommends that the South Australian Government implements specialist training for police officers, judicial officers and prosecutors, and workers in the family and domestic violence, health care, housing, education, finance, and child protection sectors. This training should include misidentification of victim-survivors and be repeated regularly.

Recommendation 5

2.31 The Salvation Army recommends that the South Australian Government increases funding to frontline family violence services.

Recommendation 6

2.32 The Salvation Army recommends that the South Australian Government prioritises the voices of lived experience and grassroots organisations in developing and rolling out programs in rural areas, to ensure that the programs are tailored to the needs of a particular community.

Recommendation 7

2.33 The Salvation Army recommends that the South Australian Government works to increase the accessibility of housing, services, and stock of transitional and crisis accommodation – particularly in regional and rural areas where there are no, or limited, crisis options. Work must also be done to ensure that housing facilities have access to extensive security to maximise the safety of victim-survivors in high-risk family and domestic violence cases.



Recommendation 8

2.40 The Salvation Army recommends that the South Australian Government establishes an Aboriginal and Torres Strait Islander-led taskforce to oversee responses to coercive control.



1 Defining Coercive Control

- 1.1 The Salvation Army welcomes the Bill's recognition of coercive control as a pattern of behaviour, or 'course of conduct,' which has a 'controlling impact' on a partner. We are hopeful that the definition as drafted, by focussing on restricted freedoms as opposed to certain behaviours, will allow for the consideration of a wide variety of coercive and controlling behaviours and acknowledgement that experiences of coercive control are not homogenous.
- 1.2 The Salvation Army hopes that the flexibility of the Bill's definition of 'controlling impact' allows for the consideration of a broad range of situations, cultural influences, and cohorts experiencing vulnerabilities. This includes, but is not limited to, the following:
- **Aboriginal and Torres Strait Islander women** may not seek help or report violence because they fear retaliation by the perpetrator, isolation from community and family connections, racism, and a lack of understanding by support services in their region. As Aboriginal and Torres Strait Islander women often live in tight-knit communities, our experience is that the whole community can be affected by family violence and a shared sense of shame can reinforce the unspoken understanding to keep silent. This is especially true within the historical context of colonisation and the continuing impacts of loss of traditional roles and status within communities.¹ Other victim-survivors may have to leave the community and their spiritual connections to the land, creating trauma for both women and their children. Due to this sense of loss of community, land and family, many women leave family violence services and often return to unsafe and violent relationships.² Some Aboriginal and Torres Strait Islander women have also mentioned to our staff that there is a lack of culturally appropriate family violence services that enable victim-survivors to safely disclose and build trust.
 - Our experience through the Moneycare program shows that **women living in regional and remote areas** experience higher rates of financial abuse. Geographic isolation limits access to help and support when needed and without access to a vehicle or transport many are unable to leave relationships, even when staying becomes dangerous.
 - There are also **cultural influences on controlling behaviours**, which our Trafficking and Slavery Safe House particularly observe. These include the use of shame, family reputation and family pressure as forms of coercive control as well as threats and manipulation around visa status, migration, and risk of early and forced marriages.
 - Many **women and children from culturally and linguistically diverse (CALD) backgrounds** remain isolated within Australian communities due to language barriers and a lack of community connection outside of their culture. Cultural differences can sometimes mean that victim-survivors from CALD backgrounds had not associated the behaviours they were experiencing with abuse. Women on temporary visas can face

¹ National Aboriginal and Torres Strait Islander Legal Service. (2017). *Strong Families, Safe Kids: Family violence response and prevention for Aboriginal and Torres Strait Islander children and families* (Policy paper). https://www.snaicc.org.au/wpcontent/uploads/2017/09/Strong_Families_Safe_Kids-Sep_2017.pdf.

² Ibid.





added threats of deportation by the perpetrator and many are told they will not be able to take their children with them. Our services have also encountered cases where the victim-survivor is not aware that they have a working visa as the perpetrator keeps this information from them as a mechanism of obtaining further control. It is only when they engage with a service that they are made aware of their visa status. Financial abuse is also often used against women from CALD backgrounds who due to language barriers are often isolated, have a limited understanding of their rights or the law, and are scared to leave as they have no access to money for themselves and their children.

- 1.3 The Salvation Army further welcome the inclusion of examples of behaviours with a 'controlling impact' which cover a wide variety of abusive behaviours including social, financial, psychological and technology-facilitated abuse. We acknowledge the Bill's clear intention to develop a definition of coercive control which is workable and comprehensive. We are hopeful this definition will capture of instances of coercive and controlling behaviours and abuse which were not captured under the previous definition, and ultimately has the potential to uphold the safety and protection of victim-survivors.

The Salvation Army's Trafficking and Slavery Safe House

The Salvation Army established the Trafficking and Slavery Safe House in 2008, Australia's first and only accommodation service in Australia specifically for adult women who have experienced human trafficking, slavery and slavery-like practices. The Safe House supports approximately 30-35 survivors and their dependents each year with flexible and holistic case management, either through its supported accommodation service (for adult cisgender and transgender women), transitional housing or non-residential support (for all ages and genders).

Located in Sydney, the Safe House accepts nation-wide referrals from a range of sources including health, education, law enforcement, legal services and community-based organisations. The Safe House client group's experiences of exploitation vary widely across the spectrum of modern slavery offences, but typically include:

- Survivors of domestic servitude, including in private households and diplomatic residences.
- Survivors of a forced marriage or those at risk of a forced marriage (typically young women).
- Survivors of sex trafficking and sexual exploitation in commercial or private settings.
- Trafficking and forced labour in other industries, including but not limited to agriculture, construction, personal/aged care, hospitality and tourism.
- Survivors of exit trafficking and attempted trafficking.

The majority of the people the Safe House assists are migrants, with the cohort including temporary visa holders, international students, asylum seekers and refugees. Australian permanent residents and citizens are also represented in the cohort the Safe House supports, particularly those who have experienced or are at risk of forced marriage, and people who have experienced sexual exploitation and domestic sex trafficking. Linking with other services, the Safe House supports survivors to meet their immediate and long-term needs, in order for them to become independent and seek justice.



Expanding the Definition of “In a Relationship”

- 1.4 The Salvation Army acknowledges the Bill’s definition of coercive control which focusses on intimate partner relationships, as this is the area of highest risk.³
- 1.5 The Salvation Army recommend this definition be extended to include other domestic relationships including former partners, family members, or persons in a family-like or kinship relationship. This would recognise that coercive control occurs outside of intimate partner relationships and would allow for the inclusion of extended families.⁴ For example, the people we support in Moneycare and Doorways frequently disclose financial abuse in all types of relationships. This includes immediate family members, carers, guardians, relatives and people within family groups recognised by various cultures and communities.
- 1.6 This is particularly important in considering and recognising the different forms of coercive control experienced by victim-survivors from diverse backgrounds. For example, consideration needs to be given to forms of coercive and controlling behaviours that are pertinent to Aboriginal and Torres Strait Islander women, where “intra-kin” violence is often overlooked.⁵ Our staff report that different tactics of abuse are utilised by Aboriginal and Torres Strait Islander perpetrators. We see women isolated from their community, land, and extended family. After being cut off from their support structures, the victim survivor is dependent on the perpetrator’s family and community.
- 1.7 Our services report that some perpetrators exert control with the assistance of family members and the broader community. This community monitoring is often what makes victim-survivors flee the area, as the network of informants to the perpetrator endangers the safety of the victim-survivor and their children.
- 1.8 Research on family violence against immigrant and refugee women in Australia has also found that women experience abuse and control from extended family members.⁶

³ Government of South Australia. (2023). *Criminalising Coercive Control*. https://ehq-production-australia.s3.ap-southeast-2.amazonaws.com/5c0fce119853c0330de7e7097dd30adda29b0222/original/1693187462/d7cc7650865f34fe26043c43af5a7262_coercive-control-community-guide-v5.pdf?X-Amz-Algorithm=AWS4-HMAC-SHA256&X-Amz-Credential=AKIA4KKNQAKIOR7VAOP4%2F20230918%2Fap-southeast-2%2Fs3%2Faws4_request&X-Amz-Date=20230918T011121Z&X-Amz-Expires=300&X-Amz-SignedHeaders=host&X-Amz-Signature=b89c0905b726c1e6dd11d7eccd005ecc0a62e11a6ed75f0e7ae4d8c8042dc3d7.

⁴ Australia’s National Research Organisation for Women’s Safety. (2022). NSW Department of Communities and Justice: Response to the Crimes Legislation Amendment (Coercive Control Bill). <https://anrowsdev.wpenginepowered.com/wp-content/uploads/2022/09/ANROWS-submission-NSW-CC-draft-bill-15092022.pdf>.

⁵ Langton, M., Smith, K., Eastman, T., O’Neill, L., Cheesman, E., & Rose, M. (2020). Improving family violence legal and support services for Aboriginal and Torres Strait Islander women (Research report, 25/2020). ANROWS. <https://www.anrows.org.au/project/improving-family-violence-legal-and-support-services-for-indigenous-women/>.

⁶ Vaughan, C., Davis, E., Murdolo, A., Chen, J., Murray, L., Quiazon, R., Block, K., & Warr, D. (2016). Promoting community-led responses to violence against immigrant and refugee women in metropolitan and regional Australia. The ASPIRE Project: Research report (ANROWS Horizons, 07/2016). ANROWS.





Recommendation 1

- 1.9 The Salvation Army recommends that the South Australian Government ensures any definition of coercive control includes a broad range of relationship types, including former partners, family members, people in family-like relationships and kindship relationships.**

Services offered by The Salvation Army

Moneycare, The Salvation Army's financial wellbeing and capability service, has been operating for over 30 years and has helped thousands of people experiencing, or at risk of experiencing, financial and social exclusion. Services are free and confidential, and include financial counselling, financial capability support, financial literacy and capability workshops and microfinance.

Doorways provides emergency relief and case management for people in crisis and helps them meet immediate needs, from unexpected bills to food vouchers. Doorways also works closely with other Salvation Army programs to assist individuals to regain control of their finances. We provide early education and prevention strategies for people who may be at risk of financial hardship.

National Consistency

- 1.10 There is no national definition of family and domestic violence that includes coercive and controlling behaviours. The Salvation Army believes a nationally consistent approach to family and domestic violence would help:
- avoid ongoing confusion within the community as to what 'defines' both physical and non-physical forms of violence;
 - facilitate consistent responses to perpetrator accountability (for example, compliance with orders); and
 - facilitate referral pathways and trauma-informed support that ensures that victim-survivors are not disadvantaged due to locality or situation.

Recommendation 2

- 1.11 The Salvation Army recommends the South Australian Government works alongside the Commonwealth Government to drive the development of a nationally consistent definition of family and domestic violence which encompasses non-physical forms of violence and coercive control.**



2 Considerations on Implementation

Improving Community Attitudes

Prevention, Early Intervention and Community Education

- 2.1 Prevention, early intervention and community education remain the most effective ways to address the underlying problem of coercive and controlling behaviours. Our frontline experience is that many victim-survivors living with coercive behaviour do not realise that what they are experiencing is actually family and domestic violence. Many community members are confronted with this realisation for the first time after speaking to our Moneycare financial counsellors, Doorways case workers or when presenting at one of our Doorways emergency relief centres.
- 2.2 As a community, we need to continue to empower all victim-survivors to identify all forms of abuse and to address discrimination, disadvantage and entrenched gender bias and exploitation in the home, in relationships and in the workplace. We wholeheartedly support the Our Watch 'Change the Story' policy approach to prevention and education.⁷ We also advocate better awareness raising to ensure that every individual in Australia considers themselves active bystanders and greater support for community-based violence prevention.

Education on Healthy Relationships

- 2.3 Violence is preventable. We must continue to educate the community to recognise and call out disrespectful, coercive and controlling behaviours as unacceptable. Importantly, the National Community Attitudes towards Violence against Women Survey (**NCAS**) highlights that 'violence-supportive attitudes' such as excusing perpetrators, minimising violence against women and mistrusting women's reports of violence can influence social norms and expectations.⁸
- 2.4 Education on healthy relationships, particularly in relation to respectful relationships within primary schools, and healthy peer to peer and early intimate relationships in high schools, is critical. We call on the South Australian Government to educate children and youth in the dangers and use of technology-facilitated abuse. This must focus on social media and its ability to 'blur' young people's ability to navigate online peer relationships and the appropriate use of technology. This is particularly important considering the exponential use of intimate photo and video sharing and GPS monitoring of women and children since 2015.⁹

⁷ Our Watch. (2015). *Change the Story: A shared prevention for the primary prevention of violence against women and their children in Australia*. <https://d2bb010tdzqag7.cloudfront.net/wp-content/uploads/sites/2/2019/05/21025429/Change-the-storyframework-prevent-violence-women-children-AA-new.pdf>.

⁸ Australia's National Research Organisation for Women's Safety. (2018). *Are We There Yet? Australians' attitudes towards violence against women & gender equity* (Summary findings from the 2017 National Community Attitudes towards Violence against Women Survey). https://d2rn9gno7zhxgg.cloudfront.net/wpcontent/uploads/2019/12/05051806/300419_NCAS_Summary_Report.pdf.

⁹ Woodlock, D., Bentley, K., Schulze, D., Mahoney, N., Chung, D., and Pracilio, A. (2020). *Second National Survey of Technology Abuse and Domestic Violence in Australia*. WESNET. <https://wesnet.org.au/wp-content/uploads/sites/3/2020/11/Wesnet-2020-2nd-National-Survey-Report-72pp-A4-FINAL.pdf>.

- 2.5 We welcome the South Australian Government’s launch of the “See the Signs” awareness campaign, and its aims to ensure young people can recognise when a relationship may be turning abusive and where to seek help.¹⁰ We urge the importance of such campaigns being widely available and accessible to all key institutions and community members.

Recommendation 3

2.6 The Salvation Army recommends the South Australian Government:

- **Focusses on prevention, early intervention, and community education including education around financial literacy and financial abuse to empower victim-survivors, particularly those within vulnerable cohorts, to seek help.**
- **Develops a comprehensive education and awareness campaign to ensure key institutions and the community more broadly obtain an understanding of coercive control and its impacts on women.**
- **Develops education campaigns in relation to active bystander interventions as a community preventative measure.**

Prioritising Education and Training

Justice Responses and Preventing Misidentification of Victim-Survivors

- 2.7 Creation of the new offence requires a highly coordinated legal and non-legal workforce that has the appropriate expertise in identifying, investigating, assessing, prosecuting, and trying such complex domestic and family violence matters.
- 2.8 We believe that greater education and training is required across the justice system, to ensure that non-physical forms of violence – including coercive control – are better understood and considered. This can ensure that instances of violence are correctly interpreted not only by police, but throughout the judicial process. Understanding the true nature of family and domestic violence will provide health, social and legal systems with a more accurate means to understand the impact of the offences collectively and respond appropriately.
- 2.9 The police form a crucial part of the frontline service system, with family and domestic violence taking up a large part of their day-to-day work. An initial positive interaction with police is recognised as having a significant impact not only on the safety of victims, but also on whether they decide to report further incidents of violence.¹¹

¹⁰ Government of South Australia. (2023). *Criminalising Coercive Control*. https://ehq-production-australia.s3.ap-southeast-2.amazonaws.com/5c0fce119853c0330de7e7097dd30adda29b0222/original/1693187462/d7cc7650865f34fe26043c43af5a7262_coercive-control-community-guide-v5.pdf?X-Amz-Algorithm=AWS4-HMAC-SHA256&X-Amz-Credential=AKIA4KKNQAKIOR7VAOP4%2F20230918%2Fap-southeast-2%2Fs3%2Faws4_request&X-Amz-Date=20230918T011121Z&X-Amz-Expires=300&X-Amz-SignedHeaders=host&X-Amz-Signature=b89c0905b726c1e6dd11d7eccd005ecc0a62e11a6ed75f0e7ae4d8c8042dc3d7.

¹¹ Australian Law Reform Commission. (2010). *Family Violence – A National Legal Response* (ALRC Report 114). https://www.alrc.gov.au/wp-content/uploads/2019/08/ALRC114_WholeReport.pdf.



- 2.10 When police respond to a family and domestic violence incident it is crucial that they have the knowledge to identify and appropriately respond to both non-physical and physical forms of violence. Our experience shows that police training and responses remains critical and that outside the specialist family violence sector, there is limited understanding of what coercive control is, how it has contributed to the incident, and how best to respond.
- 2.11 We draw attention to the Law Enforcement Conduct Commission's *Review of NSW Police Force responses to domestic and family violence incidents*, which highlights the need for targeted, regular, and mandated training of police officers in family violence process and procedures. This is necessary to ensure all police officers have the expertise and skills to respond effectively to family violence.¹²

“Police need training on identifying coercive control. Even today there are a lot of issues with police responding incorrectly to domestic violence. Individuals are being coerced into dropping charges, being cut off financially and left homeless and isolated.”

- A frontline worker in our family and domestic violence service

- 2.12 The misidentification of victim-survivors as perpetrators of family and domestic violence can occur in a range of contexts, but it primarily occurs where victim-survivors are misidentified on a domestic violence order or face criminal charges.
- 2.13 Our services in South Australia continue to report a high number of women being misidentified as the perpetrator. Many of our community members report that the misidentification impacts their trust in the police and justice system and often makes them reluctant to report further instances of violence.
- 2.14 Beyond undermining confidence, treating victim-survivors of violence as perpetrators denies victim-survivors appropriate support.¹³ South Australia should prioritise educating police and justice staff that family and domestic violence is a pattern of behaviours as opposed to a one-off instance of violence.
- 2.15 Any training that aims to reduce the misidentification of victim-survivors needs to include ensuring there is an understanding of the neo-colonial context of violence, particularly in relation to Aboriginal and Torres Strait Islander women's violent resistance and reluctance to cooperate with police and justice staff during investigations.

¹² Law Enforcement Conduct Commission. (June 2023). *Review of NSW Police Force responses to domestic and family violence incidents*. <https://www.lecc.nsw.gov.au/prevention/prevention-reports/review-of-nsw-police-force-responses-to-family-and-domestic-violence-incidents>.

¹³ Nancarrow, H, Thomas, K, Ringland, V & Tanya, M. (2020). Accurately identifying the 'person most in need of protection' in domestic and family violence law. Australia's National Research Organisation for Women's Safety. <https://20ian81kynqg38b3l3eh8bfwengine.netdna-ssl.com/wp-content/uploads/2019/10/Nancarrow-PMINOP-RR.3.pdf>.



Training for Frontline Services

- 2.16 Due to the nature of coercive controlling behaviours, police or justice staff will not always be the first responders for victim-survivors. For this reason, it is critical that all frontline staff and those volunteering in an organisation have access to specialised training to correctly identify people in need of protection and respond with meaningful support options for both adult and child victim-survivors, and perpetrators.
- 2.17 In our experience, there is a need to increase understanding about coercive control within the mainstream service system. Our frontline staff report that many of the services that victim-survivors interact with do not have sufficient training, education, and awareness to understand that this form of abuse is as harmful as physical violence.
- 2.18 There is a further need to enhance understanding of barriers which disempower victim-survivors and prevent them seeking help or disclosing violence. A significant barrier to engaging with support is the fear of child protection responses, which is evidenced to be a barrier particularly for Aboriginal and Torres Strait Islander Women.¹⁴ Barriers can also include insecure housing, financial reliance, and distrust of state agencies and services.¹⁵
- 2.19 The South Australian Government can make a huge difference by addressing the need for improved education around financial literacy and financial abuse. Data collected by the Household, Income and Labour Dynamics Australia (**HILDA**) survey suggests that around 45 per cent of Australians cannot demonstrate basic financial literacy.¹⁶
- 2.20 The Salvation Army's Doorways service and Moneycare program provides free access to qualified financial counsellors who can help with crisis intervention and financial resilience services. In many cases, victim-survivors are running households with minimal funds as perpetrators direct all income for personal use, attach all bills, purchases and rental contracts to the victim-survivor's name and acquire significant debt, making it more difficult for the victim-survivor to escape violence. We have also assisted clients who have incurred government debt through incorrect reporting of income or coercive action by a perpetrator. In most cases, use of technology-facilitated abuse is also present with other forms of financial and economic abuse.
- 2.21 As 'first responders' to victim-survivors experiencing financial abuse we continue to advocate for financial counsellors and the broader financial sector to be included in coordinated family violence responses. Our experience delivering financial counselling, as well as family violence support, is that banks do not always have sufficient protections in place to safeguard against financial abuse.

¹⁴ Australian National Research Organisation for Women's Safety. (2020). *Improving family violence legal and support services for Aboriginal and Torres Strait Islander peoples: Key findings and future directions*. (Research to policy and practice, 25-26/2020). Sydney: ANROWS.

¹⁵ Ibid

¹⁶ Preston, A. (2020, March). *Financial Literacy in Australia: Insights from HILDA data*. University of Western Australia Business School.



2.22 We call on the South Australian Government to deliver consistent and mandatory specialised training to identify and respond to coercive and controlling behaviours. This training must be available for police officers, judicial officers and prosecutors, and workers in the domestic abuse, health care, housing, education, finance, and child protection sectors. Training and response needs must also extend to the identification of other high-risk factors of violence, in particular the understanding that family and domestic violence is a pattern of behaviours as opposed to a one-off event of violence.

Recommendation 4

2.23 The Salvation Army recommends that the South Australian Government Implements specialist training for police officers, judicial officers and prosecutors, and workers in the family and domestic violence, health care, housing, education, finance, and child protection sectors. This training should include misidentification of victim-survivors and be repeated regularly.

Improving the Capacity of the Family Violence Sector

- 2.24 Any legislative change to criminalise coercive control, especially in conjunction with a media campaign to boost community education on the topic, will inevitably increase demand for family and domestic violence specialist services. Any efforts to criminalise coercive control must therefore be accompanied by sufficient funding and resources for specialist family and domestic violence services and victim support services to ensure that all victim-survivors can access the support they require.
- 2.25 Our experience is that South Australia does not currently have systems in place to manage an increase in victim-survivors seeking assistance. There is not enough safe accommodation for women and their children. Our services have anecdotally heard of women and children in South Australia having to remain in a hotel for two to three months prior to being accepted into a refuge due to increased demand. South Australia should aim to move towards directing more funding to keep women safe in their own home, however this cannot occur while the legal and service systems continue to operate separately.
- 2.26 High-risk cases of family and domestic violence require substantial infrastructure and support in the form of extensive security, duress alarms, case work and ongoing outreach. Consideration also needs to be given to ensuring victim-survivors' safety when they leave the safe accommodation for reasons such as work, running errands and dropping children off. We cannot be in a position where high-risk cases of family and domestic violence are denied a service because the service does not have the facilities to keep them safe. Increased infrastructure to support victim-survivors is needed to achieve acceptable outcomes as demand will inevitably increase with increased awareness.



Ensuring Women in Rural and Regional Areas have Access to Services

- 2.27 Our experience is that disclosure is more difficult and riskier for victim-survivors of family and domestic violence in smaller towns and tight-knit communities. A lack of support and services also elevates the risk for women and children. The Salvation Army has the benefit of operating services in metropolitan, regional and rural areas of Australia. This allows us to see the disparity in services available. It is our experience that there are currently too few family and domestic violence services available in rural and regional areas. This means that victim-survivors often must travel great distances to access a women's shelter, financial service, or health or legal centre. Or worse, go without.
- 2.28 For victim-survivors in coercive and controlling relationships this lack of available services has detrimental consequences. Our services frequently see victim-survivors who have been forced to travel great distances to access a service and escape a coercive and controlling relationship. It is not uncommon for these victim-survivors to later return to violent relationships due to the financial pressures and lack of social supports associated with moving to a new area. It is often the case that the perpetrator's control only increases after a victim-survivor returns and her safety put to greater risk.
- 2.29 The South Australian Government needs to prioritise the voices of lived experience and members of a particular community. The most effective way to reduce family and domestic violence in rural areas is to allow grassroots organisations to lead the response in a manner that is tailored to their community. Responses in rural and remote communities need to be different from those in urban communities.
- 2.30 Our experience is that many programs in rural areas are currently administered by either the government, or large-scale non-government organisations, and do not always consider community knowledge, skills, relationships and connections. Implementing a place-based response is critical. Different communities will have different strategies that they believe are effective and investing in these will enable the most effective response to family and domestic violence. The Salvation Army points the South Australian Government to the work of the Tangentyere Women's Family Safety Group operating in Alice Springs. This group is an example of best practice in developing and administering a program in an organic manner that prioritises the knowledge and lived experience of community members.

Recommendation 5

- 2.31 The Salvation Army recommends that the South Australian Government increases funding to frontline family violence services.**



Recommendation 6

2.32 The Salvation Army recommends that the South Australian Government prioritises the voices of lived experience and grassroots organisations in developing and rolling out programs in rural areas, to ensure that the programs are tailored to the needs of a particular community.

Recommendation 7

2.33 The Salvation Army recommends that the South Australian Government works to increase the accessibility of housing, services, and stock of transitional and crisis accommodation – particularly in regional and rural areas where there are no, or limited, crisis options. Work must also be done to ensure that housing facilities have access to extensive security to maximise the safety of victim-survivors in high-risk family and domestic violence cases.

Collaboration with Aboriginal and Torres Strait Islander People and Organisations

- 2.34 It is crucial that the South Australian Government considers the cultural and geographical needs of Aboriginal and Torres Strait Islander communities when deciding on legislative changes.
- 2.35 It is well documented that in Australia, Aboriginal and Torres Strait Islander women are the most at-risk group of experiencing family and domestic violence and that the prevalence and severity of this violence increases with remoteness.¹⁷
- 2.36 Criminalising psychological harm also raises the possibility of increased police presence and investigation in Aboriginal and Torres Strait Islander communities which are already over-policed and over-criminalised.¹⁸
- 2.37 The Salvation Army reiterates the importance of consulting with Aboriginal and Torres Strait Islander victim-survivors and Aboriginal and Torres Strait Islander-led organisations to ensure that any structural changes to the criminal justice system recognises their particular cultural and geographical needs, and the differing nature and prevalence of violence in those communities.

¹⁷ Productivity Commission, Overcoming Indigenous Disadvantage Key Indicators 2014 Report, Australian Government, 2014 <https://www.pc.gov.au/research/ongoing/overcoming-indigenous-disadvantage/2014/key-indicators-2014-report.pdf>.

¹⁸ Australian Bureau of Statistics. (2020). Aboriginal over-representation in the NSW Criminal Justice System. https://www.bocsar.nsw.gov.au/Pages/bocsar_pages/Aboriginal-overrepresentation.aspx.





- 2.38 It is essential that grassroots Aboriginal and Torres Strait Islander communities have the ability to lead and develop projects. Projects that are led by non-Aboriginal and Torres Strait Islander peoples in Aboriginal and Torres Strait Islander communities should only be supported when they can demonstrate deep consultation and co-design processes that do not further marginalise or 'other' these voices.
- 2.39 To ensure that Aboriginal and Torres Strait Islander voices are heard, the South Australian Government should consider establishing an Aboriginal and Torres Strait Islander-led taskforce to oversee the responses to coercive control. This taskforce should have oversight of any potential draft legislation, consultation process and the implementation process, including system and cultural reform, as well as training and ongoing monitoring and evaluation.

Recommendation 8

- 2.40 The Salvation Army recommends that the South Australian Government establishes an Aboriginal and Torres Strait Islander-led taskforce to oversee responses to coercive control.**

3 Conclusion

- 3.1 The Salvation Army thanks the South Australian Government for the opportunity to provide a written submission to the Criminal Law Consolidation (Coercive Control) Amendment Bill 2023.
- 3.2 The Salvation Army would welcome the opportunity to discuss the content of this submission should any further information be of assistance. Further information can be sought from government.relations@salvationarmy.org.au.

The Salvation Army Australia Territory

October 2023





Appendix A About The Salvation Army

The Salvation Army is an international Christian movement with a presence in more than 130 countries. Operating in Australia since 1880, The Salvation Army is one of the largest providers of social services and programs for people experiencing hardship, injustice and social exclusion.

The Salvation Army Australia provides more than 1,000 social programs and activities through networks of social support services, community centres and churches across the country.

Programs include:

- Financial counselling, financial literacy and microfinance
- Emergency relief and related services
- Homelessness services
- Youth services
- Family and domestic violence services
- Alcohol, drugs and other addictions
- Chaplaincy
- Emergency and disaster response
- Aged care
- Employment services

As a mission-driven organisation, The Salvation Army seeks to reduce social disadvantage and create a fair and harmonious society through holistic and person-centred approaches that reflect our mission to share the love of Jesus by:

- Caring for people
- Creating faith pathways
- Building healthy communities
- Working for justice

We commit ourselves in prayer and practice to this land of Australia and its people, seeking reconciliation, unity and equity.

Further information about The Salvation Army can be accessed at: <
<https://www.salvationarmy.org.au/>>

