

# Crimes Legislation Amendment (Coercive Control) Act 2022

Statutory Report

1 December 2023

21 November 2023

The Hon. Michael Daley, MP  
Attorney General  
GPO Box 5341  
SYDNEY NSW 2001

Dear Attorney General

**Second report of the Implementation and Evaluation Taskforce for the coercive control reforms**

The Implementation and Evaluation Taskforce constituted by section 54I(1) of the *Crimes Act 1900*, and of which I am the Chairperson under section 54I(2)(a), makes this report to you pursuant to its requirements under section 54I(8).

Yours sincerely,

Michael Tidball  
Secretary  
Department of Communities and Justice

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## Executive Summary

In November 2022, the NSW Parliament passed the *Crimes Legislation Amendment (Coercive Control) Act 2022* (the **Act**).

The Act creates an offence in current and former intimate partner relationships where an adult engages in a course of conduct of abusive behaviour that is intended to coerce or control the other person, which an ordinary person would consider would cause fear of violence or have a serious adverse impact on a person's capacity to engage in ordinary day-to-day activities (the **coercive control offence**). The Act also provides for a definition of 'domestic abuse' for the purposes of the *Crimes (Domestic and Personal Violence) Act 2007* (the **domestic abuse definition**).

The Act prescribes that an Implementation and Evaluation Taskforce (the **Taskforce**) be constituted, with a remit to provide advice to the Minister on training and education, precise commencement dates for the domestic abuse definition and the coercive control offence, and consultation with stakeholders, particularly with sector-specific Reference Groups. The Taskforce is required to report to the Minister.

The first report was tabled in both Houses of Parliament in June 2023, which canvassed the constitution activities of the Taskforce and the multiple Reference Groups.

This is the second report of the Taskforce. This second report:

- retains information on Taskforce and Reference Group constitution from the first report to provide context about the reform.
- outlines progress against the Taskforce's workstreams, which includes the delivery of training by justice agencies critical to the implementation of the coercive control offence, including NSW Police Force, the Office of the Director of Public Prosecutions (**ODPP**), Legal Aid NSW and the Judicial Commission of NSW.
- summarises the extensive consultation undertaken on that training and to deliver a public communications strategy to support the reform.

The report demonstrates that NSW will be prepared for the commencement of the domestic abuse definition and the coercive control offence in 2024.

Work is underway and on track to:

- Educate and train sworn and unsworn police officers on the dynamics of coercive control and the new legislation, and to investigate and prosecute the coercive control offence.
- Educate and train ODPP solicitors, Witness Assistance Service Officers and Crown Prosecutors to understand coercive control, how it manifests across diverse communities and how to prosecute the new offence.
- Educate and train Legal Aid practitioners to understand coercive control, represent those accused of the new offence and provide training resources to domestic and family violence specialist workers.

- Provide evidence-based, accessible information to the general community about the nature of coercive control across a range of relationships and how to seek help.
- Deliver a broad advertising campaign to promote awareness of coercive control in intimate partner relationships, to support the commencement of the offence in 2024.
- Deliver tailored awareness campaigns to First Nations communities and culturally and linguistically diverse communities.
- Alter operating systems to record and assist monitoring of the coercive control offence.
- Consult with stakeholders and develop options to monitor the operation of the legislation.

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## Introduction

This second report of the Implementation and Evaluation Taskforce (the **Taskforce**) follows years of activity related to coercive control:

- **Joint Select Committee inquiry:** In October 2020, the NSW Parliament's Joint Select Committee on Coercive Control was established to inquire into and report on coercive control in domestic relationships.<sup>1</sup> The committee reported in June 2021,<sup>2</sup> recommending the criminalisation of coercive control in domestic relationships and further reforms to respond to coercive control in NSW. The NSW Government undertook public and targeted consultation on an exposure Draft Bill from May 2022.
- **Development and passing of legislative reform related to coercive control:** The NSW Parliament passed the *Crimes Legislation Amendment (Coercive Control) Act 2022 (the Act)* on 16 November 2022. The Act received assent on 23 November 2022, and:
  - Creates a standalone offence of coercive control in the *Crimes Act 1900 (Crimes Act)*, punishable by up to seven years imprisonment, which will apply where an adult engages in a course of conduct that is abusive behaviour against a current or former intimate partner, with the intention of coercing or controlling that person where a reasonable person would consider that the conduct would be likely to cause a fear of violence or to have a serious adverse impact on the capacity to engage in day-to-day activities (the **coercive control offence**). The coercive control offence is to commence 1 February 2024 at the earliest and 1 July 2024 at the latest.
  - Inserts a statutory definition of domestic abuse in the *Crimes (Domestic and Personal Violence) Act 2007* (the **domestic abuse definition**). The domestic abuse definition is to commence by 1 February 2024.
  - Establishes the Taskforce, which commenced on 1 December 2022 under section 54I of the *Crimes Act 1900* (the **Crimes Act**).
    - The Taskforce was constituted and first met in December 2022.
    - In 2023, it established a three-stream workplan, met seven times and constituted 11 sector-specific Reference Groups to consider the workplan and to provide advice on sector readiness and training, and public education more broadly.
    - Since forming, the Reference Groups have been consolidated on advice of members agencies. More information about the reference groups can be found on pages 14 - 25.

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<sup>1</sup> Parliament of NSW, 'Joint Select Committee on Coercive Control' <[www.parliament.nsw.gov.au/committees/listofcommittees/Pages/committee-details.aspx?pk=271](http://www.parliament.nsw.gov.au/committees/listofcommittees/Pages/committee-details.aspx?pk=271)> (retrieved 3 November 2023).

<sup>2</sup> Parliament of NSW, Joint Select Committee on Coercive Control, *Coercive Control in Domestic Relationships, Report 1/57* (June 2021).

- **First report of the Taskforce:** In June 2023, the Taskforce reported on its constitution and that of the Reference Groups. It detailed its main purposes, workplan and activity related to training and education and community awareness.<sup>3</sup>
- **Educational website:** In August 2023, following extensive consultation and engagement with Reference Group members, the NSW Government launched a website to provide information about coercive control and where to get help as phase one of its communication campaign.<sup>4</sup>

The main purposes of the Taskforce are prescribed by section 54I(3) of the Crimes Act. The Taskforce oversees the implementation of the coercive control offence and is to consult with stakeholders about the offence, provide advice about, and monitor, training, education and resourcing in relation to the offence, and provide advice about consequent commencement dates for the offence and the domestic abuse definition. Following commencement, the Taskforce is to evaluate the implementation of the offence and monitor its operation and resourcing.

The Taskforce is required to provide the Attorney General with a report<sup>5</sup> in relation to its main purposes:

- at least once each six months during the period between the commencement of section 54I (1 December 2022) and the commencement of the coercive control offence (no later than July 2024), and
- at least every 12 months after the commencement of the coercive control offence.

The Attorney General must table the reports in each House of Parliament within 21 days after receipt.<sup>6</sup>

This report is the second report under section 54I(8) of the Crimes Act. It is required to address the 'main purposes' of the Taskforce as defined at section 54I(3) and outlined below in Table 1.

| Section | Purpose   | Reference in this report or future reports |
|---------|---|--|
| (a)     | Consult with stakeholders, including Reference Groups established under this section, about the offence under section 54D (the coercive control offence) and related matters.   | Pages 14 -21, 27-38                        |
| (b)     | Provide advice about, and monitor, training, education and resourcing in relation to the coercive control offence.  | Pages 27-38                                |
| (c)     | Provide advice about the commencement dates of, and interaction between, the definition of domestic abuse in the <i>Crimes (Domestic and Personal Violence) Act 2007</i> , section 6A and the coercive control offence. | Page 26                                    |
| (d)     | Evaluate the implementation of the coercive control offence and resourcing in relation to the coercive control offence.   | From December 2024 report                  |
| (e)     | Monitor the operation of this Division, including –   | Page 38 and from December 2024 report      |

<sup>3</sup> NSW Government, Department of Communities and Justice, *Crimes Legislation Amendment (Coercive Control) Act 2022 Statutory Report* (June 2023).

<sup>4</sup> <https://www.nsw.gov.au/family-and-relationships/coercive-control> (retrieved 6 November 2023).

<sup>5</sup> *Crimes Act 1900* (NSW) section 54I(8).

<sup>6</sup> *Crimes Act 1900* (NSW) section 54I(9).

**Table 1: Main Purposes of the Taskforce (section 54I(3))**

| Section    | Purpose   | Reference in this report or future reports |
|------------|---|--|
|            | (i) The practical application of defences to the coercive control offence, and<br>(ii) Resourcing in relation to the operation of the Division. |  |
| <b>(f)</b> | Provide advice to the Minister about other matters related to a matter in paragraph (a)-(e) or the coercive control offence.                    | Future reports                             |



# Implementation and Evaluation Taskforce

Under the *Crimes Legislation Amendment (Coercive Control) Act 2022* (the **Act**), the Attorney General was required to establish an Implementation and Evaluation Taskforce (the **Taskforce**) to convene within one month of the commencement of section 54I of the *Crimes Act 1900* (Crimes Act). Section 54I commenced on 1 December 2022.

Section 54I(2) prescribes that the Taskforce:

- is chaired by the Secretary of the department in which the Crimes Act 1900 is administered, being the Secretary of the Department of Communities and Justice, and
- is constituted by a representative from the NSW Police Force, the chair of the NSW Domestic and Family Violence and Sexual Assault Council, and a member from the domestic and family violence sector with substantial expertise and experience in domestic and family violence service delivery (the **statutory members**).

The Taskforce was established from December 2022 and was constituted by appointment of the then Attorney General. Membership includes the statutory members under section 54I(2) and member agencies from other relevant areas of Government.

## Taskforce members

Table 2 outlines the statutory members and additional member agencies.

| Table 2: Taskforce Members  |
|---|
| <b>Statutory members appointed under section 54I(2)</b>   |
| Secretary, Department of Communities and Justice (Chairperson)  |
| Deputy Secretary, Strategy, Policy and Commissioning, Department of Communities and Justice and Chair of the Domestic and Family Violence and Sexual Assault Council (Deputy Chairperson) |
| Assistant Commissioner, NSW Police Force  |
| Annabelle Daniel OAM, Chief Executive Officer, Women’s Community Shelters and Chair, Domestic Violence NSW (Independent member)   |
| <b>Government member agencies</b>   |
| Deputy Secretary, Aboriginal Affairs NSW  |
| Chief Executive Officer, Multicultural NSW  |
| Deputy Secretary, Health System Strategy and Patient Experience, NSW Health   |
| Executive Director of Crime, Legal Aid NSW  |
| Executive Director, Strategy and Economic Policy, Department of Regional NSW  |
| Executive Director, Health and Stronger Communities, NSW Treasury   |
| Executive Director, Social Policy, The Cabinet Office   |

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## Taskforce governance

The Taskforce provides advice to the Minister, referring to the Attorney General for NSW.

The Taskforce is chaired by the Secretary of the Department of Communities and Justice. The Secretary is also the chairperson of the NSW Domestic, Family and Sexual Violence Board, which oversees the implementation of the recommendations made by the Joint Select Committee on Coercive Control.<sup>7</sup> Accordingly, the Secretary is the conduit between the Taskforce and the Board, ensuring that information flows between the two bodies.<sup>8</sup>

The Secretary, as Chairperson of the Taskforce, appointed the statutory member who is the Chairperson of the NSW Domestic and Family Violence and Sexual Assault Council as the Deputy Chairperson of the Taskforce. This ensures an information flow between the Taskforce and Council as determined by the Chairperson and Deputy Chairperson to support the implementation of the coercive control offence in NSW.

As required by the Act, the Taskforce has formed sector-specific Reference Groups. There are 10 Reference Groups, and each group is chaired by an appropriate member of the Taskforce. This ensures that discussions and advice from Reference Groups are integrated into the decision-making of the Taskforce in its formulation of advice to the Minister.

The Taskforce and Reference Groups are supported by a Secretariat in the Department of Communities and Justice.

The Coercive Control Implementation and Evaluation Taskforce governance structure is presented in Figure 1.<sup>9</sup>

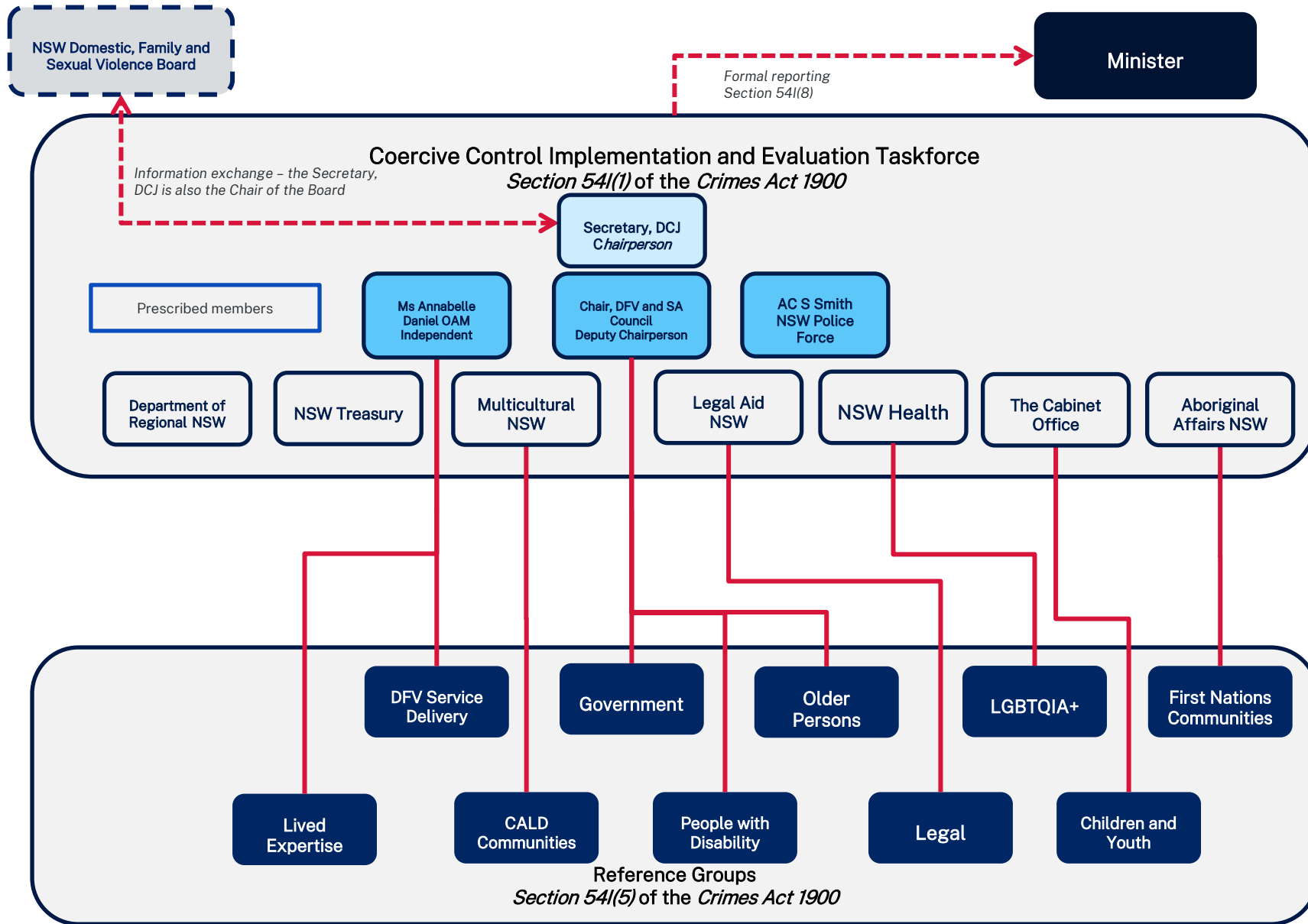
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<sup>7</sup> Recommendation 8 of the Joint Select Committee's Report provides that the Secretary of the Department of Communities and Justice should work together with a range of public bodies including NSW Police Force, Health, Education, Justice, Housing, and Indigenous agencies to prevent domestic abuse, with the aim of reducing the numbers of victims and perpetrators of abuse. This represents a critical opportunity to implement an early intervention and public health-focused approach, rather than relying solely on traditional criminal justice levers, which only come into play in the aftermath of an offence. The whole-of-government approach to domestic and family violence is the role of the Domestic, Family and Sexual Violence Board.

<sup>8</sup> The NSW Women's Safety Commissioner has also been attending meetings of the NSW Domestic, Family and Sexual Violence Board and is a member of the Coercive Control Government Reference Group as part of her role in providing leadership and oversight of whole of NSW government policy and programs on domestic, family and sexual violence.

<sup>9</sup> Figure 1 refers to the **NSW Domestic, Family and Sexual Violence Board** that provides whole-of-government strategic direction on domestic, family, and sexual violence reforms, and is chaired by the Secretary of the Department of Communities and Justice. Figure 1 also refers to the **NSW Domestic and Family Violence and Sexual Assault Council**, chaired by the Deputy Secretary, Strategy Policy and Commissioning in DCJ. The Council, along with the NSW Domestic and Family Violence and Sexual Assault Corporate Leadership Group, provide advice to the Minister for Women, Seniors and Prevention of Domestic Violence and Sexual Assault on domestic, family and sexual violence reforms and initiatives relevant to their Terms of Reference.

Figure 1



## Taskforce workstreams

In January 2023, the Taskforce provided advice to the Minister in support of it overseeing three workstreams to progress the implementation of the coercive control reform.

The workstreams reflect the main purposes of the Taskforce (section 541(3), see page 7) and the areas on which the Taskforce is consulting Reference Groups. These areas reflect key recommendations of the Joint Select Committee on Coercive Control to support effective implementation of the reform.

| Table 3:<br>Workstreams  | Key Focus  | Legislative Reference or Joint Select Committee Report Recommendation   | Outcomes to December 2023   |
|--|--|---|---|
| <p><b>Stream 1:<br/>Training and education</b></p> <p>Lead: Frontline agencies</p> | <p>NSW Police Force, the Judicial Commission of NSW, Legal Aid NSW and the Office of the Director of Public Prosecutions to provide dedicated training and education on the coercive control reform.</p> | <p>Section 541(3)(b) of the <i>Crimes Act 1900</i></p> <p>Part of recommendations 1, 19, 22 of the Joint Select Committee on Coercive Control report which was supported by the then NSW Government.<sup>10</sup></p> | <p><b>NSW Police Force</b><br/>19,000 police staff trained about the core aspects of coercive control and legislation.</p> <p>Training for 12,000 officers underway to identify, investigate and prosecute coercive control.</p> <p><b>Office of the Director of Public Prosecutions (ODPP)</b><br/>Research, planning, consultation and delivery of training for solicitors, witness assistance services officers and Crown Prosecutors.</p> <p><b>Legal Aid</b><br/>Research, planning, consultation for training for Legal Aid NSW staff, Aboriginal Legal Service (NSW/ACT), Community Legal Centres and domestic and family violence specialist worker module.</p> <p><b>Judicial Commission of NSW</b><br/>Research, planning, consultation and delivery of training for judicial officers across the Local</p> |

<sup>10</sup> NSW Joint Select Committee on Coercive Control, *Coercive Control in Domestic Relationships, Report 1/57* (June 2021).

|  |  |   |  |
|--|--|---|--|
|  |  |   | Court, District Court and Supreme Court.   |
| <b>Stream 2: Operational systems</b><br>Lead: Frontline agencies                                   | Updates to government operational systems.   | Section 54I(3)(c) and (f) of the <i>Crimes Act 1900</i>   | NSW Police Force, BOCSAR and the Department of Communities and Justice (DCJ) have collaborated to create coercive control offence fields in the <b>COPS</b> database to record and monitor the offence.<br><br>Judicial Commission of NSW has collaborated with ODPP and DCJ to develop a <b>Law Part Code</b> <sup>11</sup> for justice agency databases. |
| <b>Stream 3: Community awareness</b><br>Lead: Department of Communities and Justice Communications | Awareness raising among the general community and in First Nations communities and multicultural communities is a key part of this reform, acknowledging that understanding of coercive control is still evolving. | Section 54I(3)(a) and (b) of the <i>Crimes Act 1900</i><br><br>Recommendation 9 of the Joint Select Committee on Coercive Control report, <sup>12</sup> which was supported by the then NSW Government. <sup>13</sup> | Launched a dedicated website about coercive control following extensive consultation (see page 35).<br><br>Research and consultation commenced for broad advertising campaign and tailored awareness campaigns (see page 36).  |

For further detail on the workstreams, see from page 27.

## Meetings of the Taskforce

The Taskforce has met eight times since constituted:

- **Meeting 1:** 8 December 2022
- **Meeting 2:** 31 January 2023
- **Meeting 3:** 10 March 2023
- **Meeting 4:** 18 April 2023
- **Meeting 5:** 17 May 2023
- **Meeting 6:** 11 July 2023
- **Meeting 7:** 12 September 2023
- **Meeting 8:** 21 November 2023.

Meetings for 2024 will be published on the DCJ website in January 2024.

<sup>11</sup> Law Part Codes are maintained by the Judicial Commission of NSW. They are unique codes based on legislation for all NSW offences and Commonwealth offences dealt with in NSW. The provision and use of these codes enables NSW justice sector agencies to exchange information and improve the integrity of information about offences.

<sup>12</sup> NSW Joint Select Committee on Coercive Control, *Coercive Control in Domestic Relationships, Report 1/57* (June 2021).

<sup>13</sup> NSW Government, *NSW Government Response to NSW Joint Select Committee on Coercive Control* (December 2021) 4.

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## Reference Groups

Section 54I(5) of the *Crimes Act 1900* (the **Crimes Act**) requires the Implementation and Evaluation Taskforce (the **Taskforce**) to establish Reference Groups to ‘consider and provide advice and recommendations to the Taskforce’ about the impact of the coercive control legislation on specific communities and on particular elements of the legislation.

Section 54I(6) of the Crimes Act prescribes that Reference Groups are to consist of members who have expertise in, or legal knowledge of, the subject matter for which the Reference Group is established. It also provides examples of sectors and organisations which could make up the Reference Groups:

the domestic and family violence sector, the legal profession, the Judicial Commission of NSW, Aboriginal organisations and groups, the culturally and linguistically diverse sector, LGBTIQA+ groups, the disability sector, youth and children’s groups, victims and survivors of sexual or domestic and family violence and the families of victims and survivors.<sup>14</sup>

Section 54I(7) of the Crimes Act requires the Taskforce to consult with any Reference Group on matters relevant to their particular purpose.

Eleven Reference Groups were established from December 2022. Reference Groups started to meet from February 2023. A Regional Reference Group was initially formed but has since dissolved on request of member agencies, with the members of that group joining other Reference Groups. Each group has also considered regional representation and expanded memberships as necessary.

Each Reference Group is chaired by a Taskforce member who reports back to the Taskforce as a standing item at Taskforce meetings.

Reference Groups hold joint meetings where appropriate and consult with each other via the Chairpersons or through the Taskforce meetings. The Taskforce’s Secretariat supports the operation of each group.

| Table 4: Reference Groups |  |  |
|---------------------------|--|--|
| Group Name                | Chairperson                              | Meeting Dates  |
| First Nations Communities | Deputy Secretary, Aboriginal Affairs NSW | 24 March 2023<br>26 June 2023<br>6 September 2023<br>1 December 2023 |

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<sup>14</sup> *Crimes Act 1900* (NSW) s 54I(6).

| Table 4: Reference Groups  |   |   |
|--|---|---|
| Culturally and Linguistically Diverse (CALD) Communities                   | Chief Executive Officer, Multicultural NSW  | 22 March 2023<br>24 May 2023<br>2 August 2023<br>11 October 2023<br>11 December 2023  |
| Domestic and Family Violence (DFV) Service Delivery<br><br>Lived Expertise | Annabelle Daniel OAM, Chief Executive Officer, Women's Community Shelters and Chair, Domestic Violence NSW.   | 16 February 2023<br>26 April 2023<br>28 June 2023<br>7 August 2023<br>9 October 2023<br>11 December 2023<br><br>13 July 2023<br>8 September 2023<br>TBC December 2023 |
| Government<br><br>Legal  | Deputy Secretary, Strategy, Policy and Commissioning, Department of Communities and Justice (DCJ) and Chair of the NSW Domestic and Family Violence and Sexual Assault Council (Government)<br><br>Executive Director, Criminal Law Division, Legal Aid NSW (Legal) | 13 March 2023 (Government)<br>20 March 2023 (Legal)<br>22 June 2023 (groups meet jointly going forward)<br>4 September 2023<br>13 December 2023                       |
| Older Persons<br><br>People with Disability                                | Deputy Secretary, Strategy, Policy and Commissioning, DCJ and Chair of the NSW Domestic and Family Violence and Sexual Assault Council  | 17 April 2023 (People with Disability)<br>27 April 2023 (Older Persons)<br>30 June 2023 (groups meet jointly going forward)<br>7 September 2023<br>6 December 2023    |

| Table 4: Reference Groups |   |   |
|---------------------------|---|---|
| LGBTQIA+                  | Deputy Secretary, Health System Strategy and Patient Experience, NSW Health | 5 May 2023<br>6 July 2023<br>15 September 2023<br>1 December 2023   |
| Children and Youth        | Executive Director, Social Policy, The Cabinet Office                       | 27 March 2023<br>29 June 2023<br>8 September 2023<br>14 December 2023   |
| Regional                  | Executive Director, Regional Liveability, Department of Regional NSW        | 31 March 2023<br><br>(Dissolved by decision of the Taskforce on 17 May 2023 at the request of Regional NSW and its members. Members consulted and appointed to other reference groups.) |

Member agencies of the Reference Groups are detailed in Appendix 3.

Information about the Taskforce and the Reference Groups is published on the DCJ website.<sup>15</sup>

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## Activity of the Reference Groups

The Reference Groups have been actively engaged in the implementation of the coercive control reform. This has included:

- consultation on community awareness campaigns
- engagement on training and education programs
- early discussions on monitoring.

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<sup>15</sup> NSW Government, Department of Communities and Justice, 'Coercive control Implementation and Evaluation Taskforce' (11 September 2023) <<https://www.dcj.nsw.gov.au/children-and-families/family-domestic-and-sexual-violence/police-legal-help-and-the-law/criminalising-coercive-control-in-nsw/coercive-control-implementation-and-evaluation-taskforce.html>> (retrieved 3 November 2023).



## Consultation on community awareness campaigns

Reference Groups have provided advice on the development of community awareness materials. This has included how best to communicate messaging about coercive control to communities across NSW, including First Nations and culturally diverse communities.

Consultation has taken place through verbal briefings and/or written consultations by DCJ Communications, including for the educational website, the broad advertising campaign and the tailored First Nations and multicultural communities campaigns (see pages 17-18). For the educational website, three rounds of written consultation were undertaken, which resulted in 47 responses and over 350 pieces of individual feedback. Reference Group members were also involved in user testing for the website, which resulted in eight responses and over 50 pieces of feedback.

Members of the Lived Expertise Reference Group shared their stories to be a part of the NSW Government coercive control educational website.

Reference Groups further advised on materials about the new definition of ‘domestic abuse’ for the purposes of the *Crimes (Domestic and Personal Violence) Act 2007*, including tailoring materials to specific audiences.

| Month | Stakeholder engagement  | Reference Group   | Consultation topic  |
|-------|---|---|---|
| April | First Nations Communities Reference Group meeting   | First Nations Communities Reference Group                 | Phase one: Website ( <b>Phase one</b> )   |
|       | 1 <sup>st</sup> round of written consultation Taskforce and Reference Groups (Phase one)<br>20 April – 4 May  |   |   |
| May   | ACON meeting  | LGBTQIA+ Reference Group                                  | Phase one   |
|       | Older Women’s Network meeting   | Older Persons and People with Disability Reference Groups | Phase one   |
|       | Culturally and Linguistically Diverse (CALD) Communities Reference Group meeting                              | CALD Communities Reference Group                          | Phase one<br>Phase three: Tailored First Nations and multicultural communities campaigns ( <b>Phase three</b> ) |
|       | 2 <sup>nd</sup> round of written consultation Taskforce and Reference Groups (Phase one)<br>24 May – 7 June   |   |   |
| June  | Ageing and Disability Commission meeting  | Older Persons and People with Disability Reference Groups | Phase one   |
|       | Multicultural NSW meeting   | CALD Communities Reference Group                          | Phase three   |
|       | Older Persons and People with Disability Reference Group meeting  | Older Persons and People with Disability Reference Group  | Phase one   |
|       | 3 <sup>rd</sup> round of written consultation Taskforce and Reference Groups (Phase one)<br>27 June – 10 July |   |   |
| July  | Multicultural NSW meeting   | CALD Communities Reference Group                          | Phase one   |

|           |  |   |  |
|-----------|--|---|--|
|           | Dr Marlene Longbottom meeting  | First Nations Communities Reference Group                 | Phase three  |
|           | Wirringa Baiya and Women's Legal Service NSW meeting   | First Nations Communities Reference Group                 | Phase three  |
|           | First Peoples Disability Network meeting   | First Nations Communities Reference Group                 | Phase three  |
|           | DCJ Transforming Aboriginal Outcomes meeting   | First Nations Communities Reference Group                 | Phase three  |
|           | Aboriginal Legal Service (ACT/NSW) meeting   | First Nations Communities Reference Group                 | Phase three  |
|           | Full Stop Australia meeting  | DFV Service Delivery Reference Group                      | Phase one  |
|           | LGBTQIA+ Reference Group meeting   | LGBTQIA+ Reference Group                                  | Phase one  |
|           | Website user testing – Reference Group members or agencies (Phase one)<br>31 July – 4 August                         |   |  |
| August    | Aboriginal Health and Medical Research Council meeting   | First Nations Communities Reference Group                 | Phase three  |
|           | Multicultural NSW meeting  | CALD Communities Reference Group                          | Phase one<br>Phase three   |
|           | Full Stop Australia meeting  | DFV Service Delivery Reference Group                      | Phase one  |
| September | Lived Expertise Reference Group meeting  | Lived Expertise Reference Group                           | Phase one<br>Phase two: Broad advertising campaign<br><b>(Phase two)</b> |
|           | Children and Youth Reference Group meeting   | Children and Youth Reference Group                        | Phase two  |
|           | Multicultural NSW meeting  | CALD Communities Reference Group                          | Phase three  |
|           | Youth Justice meeting  | Children and Youth Reference Group                        | Phase one<br>Phase two   |
| October   | CALD Communities Reference Group meeting   | CALD Communities Reference Group                          | Phase three  |
|           | Victim-survivor of coercive control meeting  | Lived Expertise Reference Group                           | Phase two  |
|           | Victim-survivor of coercive control meeting  | Lived Expertise Reference Group                           | Phase two  |
|           | Annabelle Daniel, CEO of Women's Community Shelters meeting  | DFV Service Delivery and Lived Expertise Reference Groups | Phase two  |
| November  | 1 <sup>st</sup> round of written consultation Taskforce and Reference Groups (Phase two)<br>19 October – 1 November  |   |  |
|           | 2 <sup>nd</sup> round of written consultation Taskforce and Reference Groups (Phase two)<br>23 November – 7 December |   |  |
| December  | Scheduled: Face to face workshops for interested reference group members   | Multiple  | Phase two  |
|           | Scheduled CALD Communities Reference Group meeting   | CALD Communities Reference Group                          | Phase three  |

## The training symposium

The coercive control training symposium (the **symposium**) was held for over two-hours on 17 August 2023 at the University of Technology Sydney Aerial Function Centre.

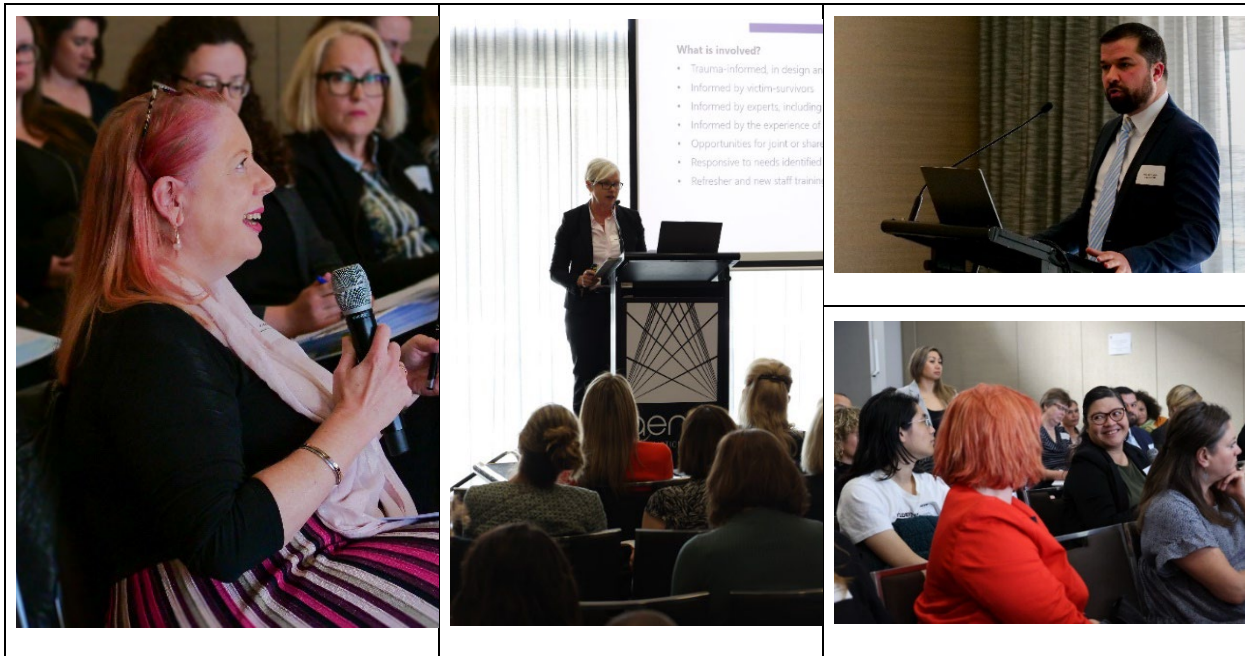
The symposium was attended by 52 people, including three Taskforce members, 26 Reference Group members, representatives from criminal justice agencies (11), Taskforce agencies (eight) and the Taskforce secretariat (four).

The symposium provided an opportunity for criminal justice agencies to engage with the community-sector about the training programs being developed in advance of the commencement of the coercive control reform.

The NSW Police Force, Office of the Director of Public Prosecutions (**ODPP**), Legal Aid NSW and the Judicial Commission of NSW presented on the work they are undertaking to prepare for the criminalisation of coercive control in intimate partner relationships. The presentations were followed by discussions with the audience, which was chaired by the Women's Safety Commissioner.

The symposium connected a broad range of stakeholders to share views and ideas on how to shape training for the reform. There was strong engagement throughout the event with new relationships made and commitments to working together to implement the reform successfully.

At and following the symposium, criminal justice agencies and Reference Group members discussed how training could be developed to successfully educate about the dynamics of coercive control in intimate partner relationships.



## Engagement on training and education

Reference Groups have been provided opportunities to engage with criminal justice agencies on training and education. This was primarily through the training symposium as outlined above.

Additional opportunities for Reference Group members to engage with criminal justice agencies on training and education have included:

- Participation by the following Reference Group members in the NSW Police Force’s expert panel component of their training program focused on coercive control and the community: CEO of Multicultural NSW, Women’s Legal Service NSW, Domestic Violence NSW, NSW Ageing and Disability Commission, Local Court of NSW and ACON.
- NSW Police Force’s meetings with the following Reference Groups to discuss police training and to hear from the expertise of these groups: DFV Service Delivery, Culturally and Linguistically Diverse communities, Lived Expertise, Older Persons and People with Disability, LGBTQIA+, First Nations Communities, and Children and Youth.
- Opportunity for the following Reference Group members to advise on and participate in conferences for the ODPP: Wirringa Baiya Aboriginal Women’s Legal Centre, Settlement Services International, NSW Ageing and Disability Commission, Lived Expertise members.
- Commitment for members of the Lived Expertise Reference Group to participate in training which will be shared between the ODPP, Legal Aid NSW and the Judicial Commission of NSW in early 2024. This will include a variety of channels including conference panels, podcasts and consultations.
- Verbal and/or written briefings by DCJ’s Strategy, Policy and Commissioning division on training needs for the community sector ahead of reform commencement.
- Consultation on a fact sheet outlining the operation and effect of the domestic abuse definition: all Reference Groups were provided the fact sheet for written feedback.

The Taskforce’s Secretariat continues to work with criminal justice agencies and Reference Groups to explore further opportunities to collaborate on training and education for the reform.

### Consultation on the monitoring report design

Verbal and/or written consultations were undertaken by the NSW Bureau of Crime Statistics and Research (BOCSAR) with all Reference Groups on the design and needs of the monitoring report for the coercive control offence.

Groups have contributed ideas and advice for the report, including options to explore possible misidentification of the primary aggressor in administrative data.

| Table 6: BOCSAR Monitoring Consultation – Reference Groups and Agencies |   |
|---|---|
| Month   | Group and consultation method                     |
| June  | First Nations Communities Reference Group meeting |

|           |  |
|-----------|--|
| July      | Taskforce meeting  |
| August    | DFV Service Delivery Reference Group meeting   |
| September | Government and Legal Reference Groups meeting  |
|           | Written consultation: Older Persons and People with Disability, Children and Youth, LGBTQIA+, CALD Communities, and Lived Expertise Reference Groups |
| October   | BOCSAR, DCJ and NSW Police Force meeting   |
|           | BOCSAR and the Judicial Commission of NSW meeting  |
| November  | BOCSAR, DCJ and NSW Police Force meeting   |

### **Advice on the Taskforce’s work plan and membership**

The DFV Service Delivery Reference Group proposed an additional workstream for the Taskforce’s workplan to consider leadership, cultural and systems reform. The Taskforce referred the proposal to the Domestic, Family and Sexual Violence Board to consider, as the Board provides whole-of-government strategic direction on domestic, family and sexual violence reforms.

The CALD Communities Reference Group provided advice to the Taskforce about their desire for more balance in the Taskforce’s membership between officials and the community sector.

The Taskforce notes the important role of the reference groups in providing advice to the Taskforce on operational and practice impacts of the reform, and the role of the Taskforce’s independent member who has substantial expertise and experience in DFV service delivery.

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## Reference Group statements

### Lived Expertise

The Lived Expertise Reference Group is chaired by the statutory independent member of the Taskforce and is made up of individuals with lived experience of domestic and family violence. The Group was formed following an Expression of Interest process conducted by the Taskforce's Independent member and DCJ.

The Lived Expertise Reference Group formed in July 2023 and has met two times in 2023. A further meeting may be scheduled. Although the Lived Expertise Reference Group formed later than other Reference Groups, it has made a significant impact since it began engagement on the reform, through members sharing their stories to inform training and community awareness.

The Group is focused on the following implementation activities ahead of the coercive control offence's commencement:

- Sharing lived experience to optimise the dedicated website.
- Providing instrumental advice and sharing experiences with Government to develop a broad advertising campaign.
- Participating in training programs for the reform to include the voices of those with lived experience of domestic and family violence.

### First Nations Communities

The First Nations Communities Reference Group is chaired by the Deputy Secretary, Aboriginal Affairs NSW and represents the voices of communities across NSW through peak bodies and Aboriginal Community Controlled Organisations that provide expert legal advice or support to people experiencing domestic or family violence (see Appendix 3).

The First Nations Communities Reference Group formed in March 2023 and has met four times in 2023.

The Group is focused on the following implementation activities ahead of the coercive control offence's commencement:

- Guiding the development of a tailored community awareness campaign for First Nations communities.
- Providing expertise and experience to inform the dedicated website.
- Providing expertise and experience to inform the broad advertising campaign.
- Advocating for training for criminal justice agencies that has a strong focus on culturally competent responses to First Nations communities. This includes co-delivery and co-design with Aboriginal Community Controlled Organisations.

### Culturally and Linguistically Diverse Communities

The Culturally and Linguistically Diverse Communities Reference Group is chaired by the CEO of Multicultural NSW and represents the voices of several diverse communities across NSW

through agencies that provide expert legal advice or support to people from culturally diverse communities experiencing domestic or family violence (see Appendix 3).

The Reference Group formed in March 2023 and has met five times in 2023.

The Reference Group is focused on the following implementation activities ahead of the coercive control offence's commencement:

- Advocating for criminal justice agencies' training programs to address the nuances of coercive control in multicultural communities.
- Guiding the development of a tailored community awareness campaign for multicultural communities.
- Providing expertise and experience to inform the dedicated website.
- Providing expertise and experience to inform the broad advertising campaign.
- Advocating for greater engagement on community attitudes and behaviours about coercive control, moving beyond community awareness to community engagement.
- Building capacity in the community sector to respond to coercive control, in consultation with DCJ.

## **DFV Service Delivery**

The DFV Service Delivery Reference Group is chaired by the statutory independent member of the Taskforce and comprises agencies representing the DFV sector in NSW (see Appendix 3).

The DFV Service Delivery Reference Group formed in February 2023 and has met six times in 2023.

The Group is focused on the following implementation activities ahead of the coercive control offence's commencement:

- Providing expertise and experience to inform the dedicated website.
- Providing expertise and experience to inform the broad advertising campaign.
- Advocating for the co-delivery and co-design of training for criminal justice agencies and independent evaluation of the effectiveness of training programs in changing and improving practice.
- Building capacity in the community sector to respond to coercive control, in consultation with DCJ.
- Advocating for leadership, cultural and systems reform to be implemented ahead of, or alongside, the coercive control reform and reporting on this through the Taskforce's statutory report.
- Advocating for an independent qualitative evaluation of the reform that includes the voices of those with lived experience of domestic and family violence.

- Advocating for funding for training of DFV frontline services to equip them to respond to and support victim-survivors ahead of the legislation's commencement.

## **Older Persons and People with Disability**

The Older Persons and People with Disability Reference Groups are chaired by the Deputy Chairperson of the Taskforce and are made up of government and community sector agencies that provide expert legal advice or support to older people and people with disability experiencing DFV in NSW (see Appendix 3).

The Older Persons and People with Disability Reference Groups formed individually in April 2023 and agreed to meet jointly. The Groups have met four times in 2023. The Groups meet jointly as some member agencies are represented on both Groups and members share similar experiences in responding to coercive control.

The Groups are focused on the following implementation activities ahead of the coercive control offence's commencement:

- Providing expertise and experience to inform the dedicated website.
- Advising on the broad advertising campaign to represent the experiences of people with disability.
- Advocating for criminal justice agencies to reflect the experiences of people with disability and older persons in their training programs.
- Building capacity in the community sector to respond to coercive control, in consultation with the Department of Communities and Justice.

## **LGBTQIA+**

The LGBTQIA+ Reference Group is chaired by the Deputy Secretary, Health System Strategy and Patient Experience, NSW Health and represents communities across NSW through agencies that provide expert legal advice or support to people from LGBTQIA+ communities.

The LGBTQIA+ Reference Group formed in May 2023 and have met four times in 2023.

The Group is focused on the following implementation activities ahead of the coercive control offence's commencement:

- Providing expertise and experience to inform the dedicated website.
- Providing expertise and experience to inform the broad advertising campaign.
- Facilitating options to consult with members of LGBTQIA+ communities, noting sector capacity limitations.
- Engaging with criminal justice agencies on training and education for the reform.

## **Children and Youth**

The Children and Youth Reference Group is chaired by the Executive Director, Social Policy at The Cabinet Office and made up of government agencies, statutory bodies and agencies that provide expert legal advice or support to children and young people in NSW.



The Children and Youth Reference Group formed in March 2023 and has met four times in 2023.

The Group is focused on the following implementation activities ahead of the coercive control offence's commencement:

- Providing expertise and experience to inform the dedicated website.
- Providing expertise and experience to inform the broad advertising campaign.
- Advocating for criminal justice agencies to include the needs and experiences of children and young people in their training programs.

## **Government and Legal**

The Government and Legal Reference Groups are chaired by the Deputy Chairperson of the Taskforce and the Executive Director, Criminal Law Division, Legal Aid NSW and made up of criminal justice agencies, the judiciary, representatives from the Law Society, the Bar Association, the community legal sector, and representatives from the NSW Government.

The Government and Legal Reference Groups formed individually in March 2023 and decided to meet jointly noting members of both Groups deliver training and education programs under the Taskforce's workplan. The Groups have retained the option to meet individually as needed.

The Groups have met four times in 2023.

The Groups are focused on the following implementation activities ahead of the coercive control offence's commencement:

- Advising on criminal justice system readiness ahead of reform commencement.
- Providing expertise and experience to inform the dedicated website.
- Providing expertise and experience to inform to the broad advertising campaign.

Two community legal sector members of the Legal Reference Group are also advocating for the reporting of leadership, cultural and systems reform accompanying coercive control reform through the Taskforce's statutory report.

# Commencement Dates

The Implementation and Evaluation Taskforce (the **Taskforce**) is required to provide advice about the commencement dates of, and interaction between, the definition of ‘domestic abuse’ for the purposes of the *Crimes (Domestic and Personal Violence) Act 2007* (the **domestic abuse definition**) and the coercive control offence (section 54I(3)(c) of the *Crimes Act 1900* (Crimes Act)).

## Domestic abuse definition and coercive control offence

Section 2 of the *Crimes Legislation Amendment (Coercive Control) Act 2022* includes fixed dates for staged commencement of the coercive control reform, if not proclaimed earlier.

- **1 February 2024 for the definition of domestic abuse to be inserted into the *Crimes (Domestic and Personal Violence) Act 2007*:** The Taskforce has considered the advice of Reference Groups and the implementation work underway, and has determined the definition should commence on 1 February 2024 by power of statute. Information about work completed to support the commencement of the definition is at pages 17 and 19 of the Taskforce’s first report<sup>16</sup> and page 37 of this report).
- **1 February 2024 at the earliest and 1 July 2024 at the latest for the coercive control offence to be inserted into the Crimes Act:** The Taskforce has determined the coercive control offence should commence on 1 July 2024. This will accommodate the planned training by criminal justice agencies (see pages 27 – 34). The broad and tailored advertising campaigns about coercive control will also be active in the lead up to when the offence commences (see pages 35 - 36). This will assist the community’s understanding of coercive control behaviours and where to seek support.

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<sup>16</sup> [Crimes Legislation Amendment \(Coercive Control\) Act 2022 Statutory Report](#) (June 2023).

## Workstream Progress

The Implementation and Evaluation Taskforce (the **Taskforce**) oversees the critical implementation work via its three workstreams to ensure the readiness of agencies to operationalise the coercive control legislation by the fixed commencement dates (see page 26 above).

Agencies implementing the workstreams have advised the Taskforce that the maximum implementation period is needed to implement the reform effectively.

In October 2022, the former NSW Government allocated \$5.6m of initial funding for education, training and awareness to implement the coercive control legislation. This included \$0.7m announced in the NSW 2022-23 Budget, and an additional \$4.9m to support training for police, funding for community awareness campaigns and educational resources.

### Workstream 1: Training and Education

Section 54I(3)(b) of the *Crimes Act 1900* (**Crimes Act**) states that one of the main functions of the Taskforce is to ‘provide advice about, and monitor, training, education and resourcing in relation to the coercive control offence’.

Training and education will be delivered by the NSW Police Force, the Judicial Commission of NSW and the legal sector.

**Table 7: Training and Education by Agency**

| Agency   | Funding Year | Justice Officials  |
|--|--------------|--|
| Judicial Commission of NSW   | 2022-23      | Judicial Officers: <ul style="list-style-type: none"> <li>Local Court of NSW</li> <li>District Court of NSW</li> <li>Supreme Court of NSW</li> </ul>   |
| Legal Aid NSW<br>(including the provision of training for practitioners of the Aboriginal Legal Service (NSW/ACT) and Community Legal Centres) | 2023-24      | <ul style="list-style-type: none"> <li>Legal Aid NSW</li> <li>Aboriginal Legal Service NSW/ACT</li> <li>NSW Community Legal Centres</li> <li>Women’s Domestic Violence Court Advocacy Service</li> </ul> |
| Office of the Director of Public Prosecutions  | 2023-24      | <ul style="list-style-type: none"> <li>Solicitors</li> <li>Witness Assistance Service Officers</li> <li>Crown Prosecutors</li> </ul>   |
| NSW Police Force   | 2023-24      | <ul style="list-style-type: none"> <li>General duties officers</li> <li>Detectives</li> <li>Police prosecutors</li> <li>Police Academy cadets from 2024/25.</li> </ul>                                   |

Since the passage of legislation, justice agencies have been researching and developing training packages focusing on the coercive control offence and the definition of domestic

abuse. The second report of the Taskforce outlines recent training activity and refers to the structure of training programs outlined in the first statutory report.<sup>17</sup>

## **NSW Police Force, Taskforce statutory member, member of the Government Reference Group**

The NSW Police Force has developed a three-phased training package. Phase 1 has been implemented and phase 2 is in delivery.

The **first phase** was implemented in March 2023. Phase 1 online component has been completed by all available NSW Police Force employees (sworn and unsworn). The online education module is designed to assist all NSW Police Force employees to understand the reform. Detail on Phase 1 is outlined in the Taskforce's first statutory report.<sup>18</sup>

The **second phase** involves face-to-face training to sworn members of the NSW Police Force. Phase 2 training commenced September 2023, focusing on Region Training Coordinators, Education Development Officers, Domestic Violence Officers and staff attached to the Domestic and Family Violence Registry who will deliver the training across the state.

The NSW Police Force consulted an expert panel in the development of the coercive control training package. These experts included:

- Domestic Violence NSW (**DVNSW**)
- Women's Domestic Violence Court Advocacy Program DV practitioner (social worker), Legal Aid NSW
- First Nations Senior Community Access Officer, Women's Legal Service NSW, First Nation Women Legal Program
- Women's Safety Commissioner NSW
- Chief Executive Officer, DVNSW
- Director Operations, NSW Ageing and Disability Commission
- Deputy Chief Magistrate, Local Court of NSW
- President of the Children's Court NSW
- Chief Executive Officer, Multicultural NSW
- Director, Community Health, ACON

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<sup>17</sup> NSW Government, Department of Communities and Justice, [Crimes Legislation Amendment \(Coercive Control\) Act 2022 Statutory Report](#) (June 2023) 15–20.

<sup>18</sup> NSW Government, Department of Communities and Justice, [Crimes Legislation Amendment \(Coercive Control\) Act 2022 Statutory Report](#) (June 2023) 17.

The purpose of the expert panel was to act as a consultation forum regarding the NSW Police Force's proposed training approach for coercive control. This training focuses on:

- recording and responding to coercive control
- collecting and recording evidence
- prosecuting coercive control offences, and
- the complexity and nuance within different communities, with a focus on First Nations communities and culturally and linguistically diverse communities.

The responses provided by the expert panel were recorded and included within the Phase 2 training package.

Phase 2 training is currently being delivered to all sworn police until 30 June 2024.

Specialised training packages are also being developed, tailored for police prosecutors and investigators and will be delivered to specialist police until 30 June 2024.

### **Next steps (December 2023 to June 2024)**

Ongoing delivery of phase 2 face to face training until 30 June 2024 and the development of the tailored police prosecutors and detective training packages.

**The third phase** will commence in June 2024 and run until June 2026. Phase 3 combines phases 1 and 2 to form a training package to be delivered in the Constable Development Program. This aims to ensure that all constables entering the NSW Police Force will have received the same level of training on the coercive control reform as their colleagues already in the NSW Police Force.

From 1 July 2024, coercive control will be imbedded into the domestic violence fundamentals course and the Domestic Violence Officer Course to reinforce the learnings obtained in phases 1 and 2.

### **Consultation approach and key outcomes**

The NSW Police Force continues to attend each of the Reference Groups and present on the coercive control training delivered to police.

A communication plan has been developed to deliver a specialised abridged version of the Coercive Control phase 2 training package to the 97 Police and Aboriginal Consultative Committees across the state over the next three months. All training will be recorded on the Engage register.

### **Office of the Director of Public Prosecutions, member of the Legal Reference Group**

The Office of the Director of Public Prosecutions (ODPP) is delivering coercive control training to all legal staff and to Witness Assistance Service Officers state-wide, across its 10 offices, which includes regional locations. The training is to be a combination of face-to-face seminars and skills training:

- online seminars/distance learning

- online competency training
- guest lectures
- the creation of dedicated online content.

The training features sessions delivered at key ODPP annual in-person training events for solicitors and Crown Prosecutors, including the end-of-year solicitors’ conference in December 2023 and the Crown Prosecutors’ Conference in the first half of 2024, as well as in numerous online and in-person sessions outside of those programs.

The training will be delivered by external and internal providers. Refresher courses and training for newly appointed staff will be offered.

The training package is centred on the following three key components, as outlined in detail in the Taskforce’s first statutory report:<sup>19</sup>

1. Understanding Coercive Control
2. Coercive Control Victims
3. Prosecuting Coercive Control.

The ODPP has consulted with a variety of other stakeholders, including members of the Lived Expertise Reference Group, in designing and developing the program. The purpose of this wide consultation is to identify the best qualified presenters for specific topics, for example for the talks covering “Understanding Coercive Control in Diverse Communities” set out in the table below for Component 1. Some components involve those stakeholders being engaged to deliver the proposed training, for example the Lived Experience panel discussion set out in the table below for Component 2.

The ODPP is also proposing collaboration with colleagues in other agencies to co-design or share training, such as the proposed Lived Experience podcast set out below.

As at 30 October 2023, the following sessions have been booked or delivered:

### Component 1 – Understanding Coercive Control

| Session   | Timing: delivered or scheduled                               | Presenter/Mode  |
|---|--|---|
| Launch of Coercive Control series                     | Delivered: 16 October 2023                                   | The Honourable Justice Jacoba Brasch<br>Federal Circuit and Family Court of Australia<br>Counsel assisting at the Queensland Coronial Inquest into the deaths of Hannah Clarke and her children |
| Understanding Coercive Control in diverse communities | Pre-recorded in October 2023 as part of our online training. | <b>LGBTQIA+</b><br>Dr Ellen Reeves  |

<sup>19</sup> NSW Government, Department of Communities and Justice, *Crimes Legislation Amendment (Coercive Control) Act 2022 Statutory Report* (June 2023) 18–19.

|   |   |  |
|---|---|--|
|   | To be released in early November                                  | Formally with the Monash Gender and Family Violence Prevention Centre; now Liverpool University (UK)                             |
| Understanding Coercive control in diverse communities | Scheduled: 14 November 2023                                       | <b>Refugee and Migrant Communities</b><br>Jess Harkins<br>Practice Manager, Domestic, Family and Sexual Violence<br>Bankstown    |
| Understanding Coercive Control in diverse communities | Scheduled: 23 November 2023                                       | <b>First Nations</b><br>Christine Robinson CEO, Wirringa Baiya, Aboriginal Women's Legal Centre                                  |
| The Dynamics of Coercive Control                      | Scheduled: ODPP Solicitor's Conference<br>18-19 December 2023     | Dr Hayley Boxall<br>Research Fellow<br>ANU College of Arts and Social Sciences<br>Previously Australian Institute of Criminology |
| Details to be confirmed                               | Scheduled: Crown Prosecutor's Conference first week of April 2024 | To be confirmed.   |

## Component 2 – Coercive Control Victims

| Session                              | Timing  | Presenter/Mode  |
|--------------------------------------|---|---|
| Lived experience of Coercive Control | Scheduled: ODPP Solicitor's Conference<br>18-19 December 2023 | Lived Experience Reference Group panel discussion   |
| Lived experience of Coercive Control | Scheduled: early 2024   | Podcast series of victims with lived experience of coercive control. Collaboration proposed with the Judicial Commission of NSW and Legal Aid NSW |

## Component 3 – Prosecuting Coercive Control

| Session   | Timing   | Presenter/Mode   |
|---|--|--|
| The experience in Scotland                        | Scheduled: ODPP Solicitor's Conference<br>18-19 December 2023<br><br>Via Microsoft Teams from Scotland | Moira Price<br>National Procurator Fiscal for Domestic Abuse and Head of Victims and Witnesses Policy Team<br>Crown Office and Procurator Fiscal Service |
| Legislative background and prosecution of offence | Scheduled: ODPP Solicitor's Conference<br>18-19 December 2023  | Michelle England, Acting Deputy Director, ODPP<br>Dominique Kelly, Senior Solicitor, ODPP  |

|   |   |  |
|---|---|--|
| Investigation/evidence acquisition for Coercive Control | Scheduled: ODPP Solicitor's Conference<br>18-19 December 2023     | NSW Police<br>Face-to-face or Microsoft Teams  |
| Use of Digital evidence                                 | Scheduled: ODPP Solicitor's Conference<br>18-19 December 2023     | NSW Police Digital Forensic Unit – extraction and analysis of digital evidence including in DV investigations for coercive control offending |
| Details to be confirmed                                 | Scheduled: Crown Prosecutor's conference first week of April 2024 | To be confirmed  |

The ODPP intends to share recorded training sessions with other agencies/groups, where feasible and where there is permission from the presenter. For example, the recorded session with Dr Ellen Reeves (formally from Monash University, now with Liverpool University in the UK) on the dynamics of coercive control in LGBTQIA+ communities is able to be shared upon request.

### **Legal Aid NSW, Taskforce member, member and chairperson of the Legal Reference Group**

Legal Aid NSW has established a Coercive Control Working Group to oversee the scope and rollout of Legal Aid's training. This Working Group consists of representatives from the Criminal Law Division, Family Law Domestic Violence Unit, Women's Domestic Violence Court Advocacy Program and Learning and Organisational Development Team. In October 2023, a Project Officer was onboarded to co-ordinate the delivery of the training.

The training program consists of three parts, each with a different focus:

1. A foundational module.
2. A criminal defence lawyer module.
3. A domestic and family violence specialist worker module.

Training will be made available to Legal Aid staff, Community Legal Centres, the Aboriginal Legal Service (NSW/ACT) and private practitioners.

The training will also be offered to domestic and family violence specialist workers, and we anticipate that some of the content may also be relevant to others in the community sector who have contact with victim-survivors. Multiple modes of delivery are being considered to make the training widely accessible.

Dr Hayley Boxall and Belinda Rigg SC, Senior NSW Public Defender presented on coercive control at the 2023 Legal Aid NSW Criminal Law Conference.

Consultations are ongoing as the materials are being developed. Legal Aid NSW is meeting with the Aboriginal Legal Service (NSW/ACT), other specialist Community Legal Centres and subject matter experts in law and academia. Opportunities to collaborate with Taskforce members on a training resource drawing on lived experiences are also being pursued.



Legal Aid NSW has also consulted with the ODPP, NSW Police Force and the Judicial Commission of NSW to ensure appropriate collaboration between agencies delivering training.

It is intended that the training package will be finalised by the end of 2023 and delivered to align with the commencement of the new provisions in 2024.

## **Judicial Commission of NSW, member of the Government Reference Group**

The Judicial Commission of NSW (**Judicial Commission**) is taking a multi-pronged approach.

### **Consultation and planning**

The Judicial Commission is a member of the International Organization for Judicial Training (the **IOJT**). The IOJT was established in 2002 to promote the rule of law by supporting the work of judicial education institutions around the world.

Overseas jurisdictions have introduced cognate coercive control offences to NSW. The Judicial Commission has met member institutions to ascertain what training they have delivered, including the:

- Judicial Council of Ireland
- Judicial College of England and Wales, and
- Judicial Institute for Scotland.

The consultations have informed the approach the Judicial Commission will take to developing and delivering the training and education materials for judicial officers in NSW.

### **Victim Support Groups**

The Judicial Commission has contacted the Aboriginal Women's Advisory Network for an introductory meeting.

In November, the Judicial Commission anticipates commencing joint sessions with the ODPP and Legal Aid NSW to interview people with lived experience of coercive control.

### **Delivery plan**

The Judicial Commission will deliver training and education via multiple channels, including:

- **The District Court of NSW Annual Conference** (April 2023). Delivered by way of information sheet and considered better supplemented by way of resources on the Judicial Information Research System (**JIRS**) referred to below.
- **The Supreme Court of NSW Annual Conference** (August 2023). This was considered better communicated via the resources on JIRS (see below).
- **The Local Court of NSW Annual Conference** (August 2023). The Honourable Justice Jacoba Brasch of the Federal Circuit and Family Court of Australia delivered a powerful session to all NSW magistrates with the theme of the exploitation of power imbalances to examine the concept of coercive control. Her Honour gave practical examples and looked at the case of Hannah Clarke to give meaning to the concept.

- **Metropolitan workshop** (13-17 November 2023 - delivered to all metropolitan magistrates). Daily presentations by staff on new material on JIRS will include the coercive control resources (see below) and the Magistrates' Orientation Program (4-8 December 2023) will refer to issues of domestic violence.
- **A cross-jurisdictional webinar** on the psychological aspects of coercive control (August 2023). This has been deferred to broader domestic violence issues in 2024.
- **Workshop fact scenarios** have been developed for use by all courts.
- **Workshop sessions on coercive control** are being developed for the Metropolitan workshops (12-16 February 2024) which will be incorporated into the Southern (6-8 February 2024) and Northern (20-22 March 2024) workshops for regional magistrates.
- **The District Court Education Committee** is settling its conference agenda (2-3 April 2024) and will include a session on coercive control.
- **A cross-jurisdictional webinar** was scheduled for 25 October 2023<sup>20</sup> to be presented by Professor Kate Fitz-Gibbon on 'Intimate Partner Violence: the victim's perspective of Coercive Control' with the focus on victim-focused research, including:
  - coercive control is a pattern of behaviour which may present in many ways
  - victim survivors – how do you prove a broken brain?
  - fear and how it is appreciated by victims
  - how prosecutions may present as bundle of offences; for example, strangulation and assaults
  - what the research has gleaned about victim expectations
  - victim concerns, for example, the perpetrator as the victim – has that been borne out in the cases?.
- **The *Judicial Officers' Bulletin*** (November 2023). A detailed article on the coercive control reform authored by Acting Justice Robert A Hulme has been submitted to the Commission and is due for publication in November 2023.
- **The Bench Books**, including sections of *Criminal Trial Courts Bench Book*, *Sentencing Bench Book* and *Local Court Bench Book*. A new chapter in the *Criminal Trial Courts Bench Book* on coercive control including commentary and directions has been drafted. The new chapter will be reviewed and approved by the *Criminal Trial Courts Bench Book* committee in November 2023. Draft amendments have been made to the *Sentencing Bench Book* and *Local Court Bench Book*, which will be reviewed by the respective committees for publication early next year.

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<sup>20</sup> Professor Fitz-Gibbon unfortunately had to cancel this session and it is intended this session will be rescheduled.

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## Workstream 2: Operational Systems

Operational system work includes updates to NSW Police Force and Court operational systems to allow data entry and processing of criminal matters. The system updates must be made before new legislation comes into effect.

The court operational system, JusticeLink, does not require specific updates prior to the coercive control legislation coming into effect. A new law part code will be created for the coercive control offence.

NSW Police Force operational systems will be updated prior to the legislation coming into effect.

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## Workstream 3: Community Awareness

The NSW Government supported recommendation 9 of the Joint Select Committee on Coercive Control to run awareness campaigns, including targeted campaigns, on coercive control.<sup>21</sup>

Under this workstream, the Department of Communities and Justice (DCJ) Communications is undertaking a phased approach to educating the NSW public about coercive control.

- **Phase one – launched August 2023:** Dedicated website about coercive control.<sup>22</sup>
- **Phase two – from April 2024:** Broad advertising campaign to raise awareness and promote understanding of coercive control.
- **Phase three – from May 2024:** Tailored campaigns for priority audiences developed in close consultation with the First Nations Communities Reference Group and the Culturally and Linguistically Diverse Communities Reference Group.

DCJ Communications is conducting this work in close consultation with the Taskforce and Reference Groups. DCJ Communications updated the Taskforce on this work at Meetings 7 and 8 and consulted with Reference Groups as outlined on pages 17 – 18.

DCJ Communications is also testing communications materials with relevant target audiences to ensure they are effective and engaging.

### Consultation Approach for Phase One – Website

DCJ Communications sought feedback on the coercive control website from the Taskforce and Reference Groups over three rounds of consultation and one round of user testing.

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<sup>21</sup> NSW Government, *NSW Government Response to NSW Joint Select Committee on Coercive Control* (December 2021) 4.

<sup>22</sup> NSW Government, 'Coercive control' <[www.nsw.gov.au/coercive-control](http://www.nsw.gov.au/coercive-control)> (retrieved 23 October 2023).

DCJ Communications also engaged a market research agency to test creative materials with the target audience. This testing showed 95% of respondents found the creative materials clear and easy to understand.<sup>23</sup>

The website was endorsed by the Taskforce and launched on 30 August 2023.

### **Consultation Approach for Phase Two – Broad Advertising Campaign**

DCJ Communications has conducted two rounds of consultation with the Taskforce and Reference Groups on creative materials for the broad advertising campaign.

DCJ Communications also engaged a market research agency to test the campaign materials with the target audience over two rounds of research.

DCJ Communications will continue to consult the Reference Groups ahead of seeking Taskforce endorsement and Ministerial approval. The broad advertising campaign is planned to launch from April 2024.

### **Consultation Approach for Phase Three – Tailored campaigns**

DCJ Communications has consulted closely with the First Nations Communities Reference Group and the Culturally and Linguistically Diverse Communities Reference Group on tailored campaigns for priority audiences.

#### **Tailored Campaign for First Nations Communities**

DCJ Communications conducted six out-of-session consultation sessions with representatives from the First Nations Communities Reference Group to inform the approach for a tailored campaign.

DCJ Communications engaged an Aboriginal-owned organisation to develop the campaign in close consultation with the First Nations Communities Reference Group and the target audience.

DCJ Communications will continue to consult the First Nations Communities Reference Group ahead of seeking Taskforce endorsement and Ministerial approval. The tailored campaign for First Nations communities is planned to launch from May 2024.

#### **Tailored Campaign for Culturally and Linguistically Diverse Communities**

DCJ Communications engaged a multicultural research agency to conduct market research with culturally and linguistically diverse communities to inform the approach for a tailored campaign.

DCJ Communications engaged a multicultural marketing agency to develop the campaign in close consultation with the Culturally and Linguistically Diverse Communities Reference Group and the target audience.

DCJ Communications will continue to consult the Culturally and Linguistically Diverse (CALD) Communities Reference Group ahead of seeking Taskforce endorsement and

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<sup>23</sup> Independent market research with n=481 NSW residents aged over 16 years.

Ministerial approval. The tailored campaign for CALD Communities is planned to launch from May 2023.

## Factsheets to support the domestic abuse definition

Separate to the communications campaigns outlined above, two factsheets have been developed to support the commencement of the definition of ‘domestic abuse’ for the purposes of the *Crimes (Domestic and Personal Violence) Act 2007* (the **domestic abuse definition**).

- The first factsheet provides details about the domestic abuse definition for legal and justice stakeholders.
- The second factsheet is a plain English explanation of the domestic abuse definition and its purpose.

The Office of the Senior Practitioner, Community Services, Corrective Services NSW, NSW Police Force, Department of Education and NSW Health will be provided with the factsheets to assist these agencies to update relevant materials and assessment tools to align with the domestic abuse definition. They will further be published on the DCJ website.<sup>24</sup>

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<sup>24</sup> NSW Government, Department of Communities and Justice, ‘Coercive control Implementation and Evaluation Taskforce’ (11 September 2023) <<https://www.dcj.nsw.gov.au/children-and-families/family-domestic-and-sexual-violence/police--legal-help-and-the-law/criminalising-coercive-control-in-nsw/coercive-control-implementation-and-evaluation-taskforce.html>> (retrieved 3 November 2023).

## Monitoring

The Implementation and Evaluation Taskforce (the **Taskforce**) is required, under section 54I(3) of the *Crimes Act 1900*, to monitor the operation of the coercive control offence, including the practical application of defences and resourcing in relation to the offence's operation.

The NSW Bureau of Crime Statistics and Research (**BOCSAR**) has committed to designing a monitoring report for the coercive control legislation, which will be finalised in the first half of 2024. BOCSAR can only monitor administrative data collected by police and the courts. BOCSAR proposes reporting quarterly after the offence commences (with the first report based on data from July – September 2024, available by December 2024).

BOCSAR has consulted with the Taskforce and Reference Group members on the design of the report, as outlined on page 20.

BOCSAR is further working with the NSW Police Force on options to collect data to monitor the coercive control offence. This may include adding additional fixed fields on CoPS that will capture the different types of abusive behaviour reported in relation to the coercive control offence.

Future reports of the Taskforce will outline the approach to monitoring the coercive control offence.

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## Future Reporting

The third report of the Implementation and Evaluation Taskforce (the **Taskforce**) is required to be tabled in both Houses of Parliament by 22 June 2024.

The report will outline:

- consultation with Reference Groups and any other stakeholders
- delivery of the Taskforce's workplan, including training and education delivered by justice agencies, operational system updates and community awareness activities
- advice on the approach to monitoring, and
- advice to the Attorney General about any other related matters.

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## Appendices

1. Section 54I of *Crimes Act 1900*
2. Implementation and Evaluation Taskforce Terms of Reference
3. Reference Group member agencies



# Appendix 1

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## Crimes Act 1900 No 40

Current version for 23 October 2023 to date (accessed 21 November 2023 at 13:30)

[Part 3](#) > [Division 6](#) > Section 54I

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### 54I Coercive Control Implementation and Evaluation Taskforce

- (1) The Minister must establish a Coercive Control Implementation and Evaluation Taskforce.
- (2) The taskforce is to include the following members appointed by the Minister—
  - (a) the Secretary of the department in which this Act is administered, who is to be the chairperson of the taskforce,
  - (b) a representative of the NSW Police Force,
  - (c) the chair of the Domestic and Family Violence and Sexual Assault Council,
  - (d) a member from the domestic and family violence sector with substantial expertise and experience in domestic and family violence service delivery.
- (3) The main purposes of the taskforce are as follows—
  - (a) to consult with stakeholders, including reference groups established under this section, about the offence under section 54D (the **coercive control offence**) and related matters,
  - (b) to provide advice about, and monitor, training, education and resourcing in relation to the coercive control offence,
  - (c) to provide advice about the commencement dates of, and interaction between, the definition of **domestic abuse** in the [Crimes \(Domestic and Personal Violence\) Act 2007](#), section 6A and the coercive control offence,
  - (d) to evaluate implementation of the coercive control offence and resourcing in relation to the coercive control offence,
  - (e) to monitor the operation of this Division, including—
    - (i) the practical application of defences to the coercive control offence, and
    - (ii) resourcing in relation to the operation of the Division,
  - (f) to provide advice to the Minister about other matters related to a matter in

paragraph (a)–(e) or the coercive control offence.

- (4) The chairperson of the taskforce must convene the first meeting of the taskforce within 1 month after the commencement of this section.
- (5) The taskforce must establish reference groups to consider, and provide advice and recommendations to the taskforce about any of the following matters—
  - (a) the impact of this Division on specific communities,

**Examples—**

Aboriginal persons, the LGBTIQ+ community

- (b) particular elements of the Division.
- (6) A reference group must consist of members who have expertise in, or legal knowledge of, the subject matter for which the reference group is established.

**Examples of sectors, groups and organisations from which members of reference groups might be drawn—**

the domestic and family violence sector, the legal profession, the Judicial Commission of NSW, Aboriginal organisations and groups, the culturally and linguistically diverse sector, LGBTIQ+ groups, the disability sector, youth and childrens groups, victims and survivors of sexual or domestic and family violence and the families of victims and survivors

- (7) In carrying out its purposes, the taskforce must consult with any reference group that is relevant to the particular purpose.
- (8) The taskforce must give the Minister a report in relation to its main purposes—
  - (a) at least once in each 6 months during the period between the commencement of this provision and the commencement of the coercive control offence, and
  - (b) at least every 12 months after the commencement of the coercive control offence.
- (9) The Minister must ensure a report under subsection (8) is tabled in each House of Parliament within 21 days after receiving it.
- (10) The taskforce ceases to operate, and this section is repealed, on the day on which, under section 54(5)(c), the report about the third review about this Division is tabled in the Legislative Assembly.

**OFFICIAL: SENSITIVE – NSW Government**

### 1. Establishment

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1.1. The Coercive Control Implementation and Evaluation Taskforce (the **Taskforce**) is required to be established under section 54I of the *Crimes Act 1900* as inserted by Schedule 1 of the *Crimes Legislation Amendment (Coercive Control) Act 2022* (the **Amending Act**).

### 2. Membership and Chairperson

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- 2.1. In accordance with section 54I of the *Crimes Act 1900*, the Taskforce consists of the following, as appointed by the Minister:
- 2.1.1. the Secretary of the Department of Communities and Justice (**DCJ**), being the Secretary of the department in which the *Crimes Act 1900* is administered  
*Section 54I(2)(a)*
  - 2.1.2. the Assistant Commissioner, South West Metropolitan Region, NSW Police Force, being a representative of the NSW Police Force  
*Section 54I(2)(b)*
  - 2.1.3. the chair of the Domestic and Family Violence and Sexual Assault Council  
*Section 54I(2)(c)*
  - 2.1.4. Ms Annabelle Daniel OAM, a member from the domestic and family violence sector with substantial expertise and experience in domestic and family violence service delivery, including in her roles as CEO of Women's Community Shelters and Chair of Domestic Violence NSW  
*Section 54I(2)(d)*
- 2.2. In addition to members prescribed by statute, the following are members (or have been invited to be members) of the Taskforce:
- 2.2.1. Natasha Luschwitz, Executive Director, Social Policy Group, Department of Premier and Cabinet
  - 2.2.2. Louis Kastoun, Executive Director, Health and Stronger Communities, NSW Treasury
  - 2.2.3. Tara Black, Executive Director, Regional Liveability, Strategy, Corporate and Performance, Department of Regional NSW
  - 2.2.4. Joseph La Posta, Chief Executive Officer, Multicultural NSW
  - 2.2.5. Senior Representative from Aboriginal Affairs NSW
  - 2.2.6. Senior Representative from Legal Aid NSW
  - 2.2.7. Senior Representative from NSW Health
- 2.3. In accordance with section 54I(2)(a) of the *Crimes Act 1900*, the Secretary, DCJ is the chairperson of the Taskforce. The chair of the Domestic and Family Violence and Sexual Assault Council is the deputy chairperson of the Taskforce.
- 2.4. The Taskforce may recommend additional members be appointed by the Minister.
- 2.5. The Taskforce may invite other agency or sector representatives to attend the meetings of the Taskforce from time to time.

### 3. Terms of Reference

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3.1. In accordance with section 54I(3) of the *Crimes Act 1900*, the main purposes of the Taskforce are:

# Terms of Reference

## Coercive Control Implementation and Evaluation Taskforce



### OFFICIAL: SENSITIVE – NSW Government

- 3.1.1. to consult with stakeholders, including reference groups established under section 54I, about the offence under section 54D (the coercive control offence) and related matters,
- 3.1.2. to provide advice about, and monitor, training, education and resourcing in relation to the coercive control offence,
- 3.1.3. to provide advice about the commencement dates of, and interaction between, the definition of domestic abuse in section 6A of the *Crimes (Domestic and Personal Violence) Act 2007* and the coercive control offence,
- 3.1.4. to evaluate implementation of the coercive control offence and resourcing in relation to the coercive control offence,
- 3.1.5. to monitor the operation of Part 3, Division 6A of the *Crimes Act 1900*, including:
  - 3.1.5.1. the practical application of defences to the coercive control offence, and
  - 3.1.5.2. resourcing in relation to the operation of the Division,
- 3.1.6. to provide advice to the Minister about other matters related to a matter above or the coercive control offence.

## 4. Reference Groups

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- 4.1. Under section 54I(5) of the *Crimes Act 1900*, the Taskforce is to establish reference groups to consider and provide recommendations about:
  - 4.1.1. the impact of Part 3, Division 6A of the *Crimes Act 1900* on specific communities (e.g. Aboriginal persons or the LGBTQIA+ community)
  - 4.1.2. particular elements of Part 3, Division 6A of the *Crimes Act 1900*.
- 4.2. The Taskforce will advise the Minister of the day on the following matters in relation to reference group(s):
  - 4.2.1. how many reference groups should be established
  - 4.2.2. the function and main purpose of each reference group
  - 4.2.3. the membership of each reference group, having regard to the requirements set out in section 54I(6) of the *Crimes Act 1900*
  - 4.2.4. the duration of each reference group, noting some may be time limited
  - 4.2.5. how the Taskforce will consult with and receive advice from reference groups, having regard to the requirements set out in section 54I(7) of the *Crimes Act 1900*
- 4.3. The Taskforce may provide advice to the Minister for consideration of any proposed formal processes, procedures or other documents in relation to reference groups which it considers are appropriate and desirable.

## 5. Reporting

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- 5.1. In accordance with section 54I(8) of the *Crimes Act 1900*, the Taskforce must provide the Minister with a report in relation to its main purposes at least:
  - 5.1.1. every six months during the period between passage of the Amending Act and the commencement of Schedule 1 to that Act
  - 5.1.2. every 12 months following commencement of Schedule 1 to the Amending Act, every 12 months
- 5.2. Upon receipt of such a report, the Minister must table the report within both Houses of Parliament within 21 days.

# Terms of Reference

## Coercive Control Implementation and Evaluation Taskforce



**OFFICIAL: SENSITIVE – NSW Government**

### Interaction with NSW Domestic, Family and Sexual Violence Board

- 5.3. The Chairperson will be a conduit for information from the NSW Domestic, Family and Sexual Violence Board (**Board**) to the Taskforce and vice versa about the progress of related reforms.
- 5.4. The Board is responsible for overseeing the delivery of the NSW Government's response to the Joint Select Committee on Coercive Control's recommendations, in addition to its other functions. The Board is chaired by the Secretary, DCJ.

## 6. Cessation of Taskforce

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- 6.1. In accordance with section 54I(10) of the *Crimes Act*, the Taskforce will cease to operate and section 54I will be repealed on the date the third statutory review required under section 54J of the *Crimes Act* is tabled in the Legislative Assembly.

## 7. Meeting Conduct and Decision Making

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### Decision making

- 7.1. Decisions of the Taskforce are to be made by consensus wherever possible, and only by majority as a last resort. In circumstances where there is an evenly split vote between members, the Chairperson carries the deciding vote.

### Quorum and attendance

- 7.2. 75% of members must attend to achieve quorum. If a member is unable to attend, any decisions will be circulated for confirmation out of session following the meeting.
- 7.3. Additional attendees, including representatives from Reference Groups, may be invited to attend from time to time, but will not have decision making authority.

### Meeting frequency

- 7.4. The Taskforce shall meet at least every two months, or more frequently as determined by the Chairperson on an ad hoc basis.

### Out of session papers

- 7.5. Items may be managed out-of-session at the agreement of Taskforce members where:
  - 7.5.1. the item is urgent and must be considered before the next scheduled meeting
  - 7.5.2. in circumstances when meetings are not possible to enable business to be progressed.

### Confidentiality

- 7.6. Members of the Taskforce must sign the Declaration of Ethical Behaviour and Confidentiality Undertaking Form, appended at Appendix A, and agree to act in accordance with the provisions of that Form.
- 7.7. Any observers who may attend Taskforce meetings from time to time must sign the Confidentiality Undertaking Form, appended at Appendix B and agree to act in accordance with the provisions of that Form.

### Secretariat support

- 7.8. DCJ must provide secretariat support to the Taskforce, including:
  - 7.8.1. organising Taskforce meetings
  - 7.8.2. preparing the agenda for approval by the Chairperson

# Terms of Reference

## Coercive Control Implementation and Evaluation Taskforce



Communities and Justice

### **OFFICIAL: SENSITIVE – NSW Government**

- 7.8.3. sending invitations, agendas and papers for discussion to members prior to the meeting, allowing appropriate time for internal consultation
- 7.8.4. sending minutes out promptly after the meeting and maintaining meeting records
- 7.8.5. supporting the Taskforce as required, including coordinating consultation with the reference groups and other stakeholders
- 7.8.6. drafting papers, reports, correspondence or advice as required at the request of the Taskforce.

## Appendix A

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### Taskforce Member's Declaration of Ethical Behaviour and Confidentiality Undertaking Form

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#### Coercive Control Implementation and Evaluation Taskforce

#### **Part A - Declaration of Ethical Behaviour**

I accept and acknowledge that as a member of the Coercive Control Implementation and Evaluation Taskforce (the Taskforce):

1. I shall act at all times honestly in good faith and in the best overall interests of the Taskforce.
2. I will not use the powers of my office for an improper purpose or take improper advantage of the position I hold as a Taskforce member.
3. I will not allow personal interests or the interests of any associated person to conflict with the interests of the Taskforce.
4. I have an obligation to acquaint myself with NSW Government policies as they apply to myself or my organisation and to take all reasonable steps to be satisfied as to the soundness of all decisions taken by the Taskforce.
5. I will not engage in conduct likely to bring discredit upon the Taskforce.
6. I endorse the principles of ethical behaviour contained within the NSW Government Boards and Committees Guidelines and I commit myself to show leadership by complying with the Guidelines in so far as applicable to my role and duties as a Taskforce member.
7. I have an obligation, at all times, to comply with the spirit, as well as the letter of the law and with the principles of this declaration.

#### **Part B – Confidentiality Undertaking**

I accept and acknowledge that as a member of the Taskforce I have duties in relation to the use, handling and confidentiality of information I obtain in the course of my duties as a Taskforce member. In particular as a member:

1. I recognise that information acquired in the course of the exercise of my functions and duties remains the property of the Taskforce.
2. I will not make improper use of or misuse information acquired in the exercise of my functions and duties. Misuse includes:
  - a) use of information for personal financial or other benefit or for personal financial or other benefit of another person
  - b) speculation in shares or commodities on the basis of confidential; information about the affairs of a business or the NSW Government
  - c) seeking to take advantage for personal reasons of another person.
3. I will not disclose information acquired in the course of the exercise of my functions and duties unless such disclosure is authorised by the Taskforce or otherwise required or

authorised by law.

4. I will take care to maintain the integrity and security of any information acquired by me or provided to me in my role as a Taskforce member.

I also agree I will continue to comply with the confidentiality obligations set out at points 1 to 4 above after the completion of my term on the Taskforce.

Signed this                      day of    2022

Signature of Taskforce member:

Name of Taskforce member (printed):

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## Appendix B

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### Confidentiality Undertaking Form

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#### Coercive Control Implementation and Evaluation Taskforce

I accept and acknowledge that as an observer of the Coercive Control Implementation and Evaluation Taskforce (the Taskforce) I have duties in relation to the use, handling and confidentiality of information I obtain in the course of my engagement with the Taskforce. In particular as an observer:

1. I recognise that information acquired in the course of my engagement with the Taskforce remains the property of the Taskforce.
2. I will not make improper use of or misuse information acquired in the course of my engagement with the Taskforce. Misuse includes:
  - a) use of information for personal financial or other benefit or for personal financial or other benefit of another person
  - b) speculation in shares or commodities on the basis of confidential; information about the affairs of a business or the NSW Government
  - c) seeking to take advantage for personal reasons of another person.
3. I will not disclose information acquired in the course of my engagement with the Taskforce unless such disclosure is authorised by the Taskforce or otherwise required or authorised by law.
4. I will take care to maintain the integrity and security of any information acquired by me or provided to me in the course of my engagement with the Taskforce.

I also agree I will continue to comply with the confidentiality obligations set out at points 1 to 4 above after the completion of my role as an observer of the Taskforce.

Signed this                      day of    2022

Signature of Observer:

Name of Observer (printed):

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# Coercive Control Implementation and Evaluation Taskforce Reference Group member agencies



Communities and Justice

## Appendix 3

### 1. Government sector

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- Deputy Secretary, Strategy, Policy and Commissioning, Department of Communities and Justice and Chair, Domestic and Family Violence and Sexual Assault Council
- NSW Women's Safety Commissioner, Department of Communities and Justice
- A/Deputy Secretary, Courts, Tribunals and Service Delivery, Department of Communities and Justice
- Executive Director, NSW Bureau of Crime Statistics and Research
- Detective Inspector and Manager, Domestic and Family Violence Registry, NSW Police Force
- Judge, Supreme Court of NSW
- Judge, District Court of NSW
- Deputy Chief Magistrate, Local Court of NSW
- Managing Lawyer, Research and Sentencing, Judicial Commission of NSW
- Director, Prevention and Response to Violence, Abuse and Neglect Unit, NSW Health

### 2. Legal sector

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- Executive Director, Criminal Law Division, Legal Aid NSW
- Deputy Secretary, Law Reform and Legal Services, Department of Communities and Justice
- Chair, Criminal Law Committee, Law Society of NSW
- NSW Bar Association
- Principal Solicitor, Care & Protection / Family Law Practice, Aboriginal Legal Service (NSW/ACT)
- A/Deputy Director, Office of the Director of Public Prosecutions
- Public Defender, Public Defenders
- Law Reform and Policy Co-ordinator, Women's Legal Service NSW
- Principal Solicitor, Wirringa Baiya Aboriginal Women's Legal Centre

### 3. DFV service delivery

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- Chief Executive Officer, Women's Community Shelters and Chair, Domestic Violence NSW
- Law Reform and Policy Co-ordinator, Women's Legal Service NSW
- Chief Executive Officer, Wirringa Baiya Aboriginal Women's Legal Centre

# Coercive Control Implementation and Evaluation Taskforce

## Reference Group member agencies



Communities and Justice

- Chief Executive Officer, Full Stop Australia
- Chief Executive Officer, Domestic Violence NSW
- Chief Executive Officer, No to Violence
- Director, Prevention and Response to Violence, Abuse and Neglect Unit, NSW Health
- Chief Executive Officer, Women's and Girls' Emergency Centre

### 4. First Nations communities

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- Deputy Secretary, Aboriginal Affairs NSW, Premier's Department
- Deputy Secretary, Transforming Aboriginal Outcomes, Department of Communities and Justice
- Director, Family Violence, Transforming Aboriginal Outcomes, Department of Communities and Justice
- Chief Executive Officer, Wirringa Baiya Aboriginal Women's Legal Centre
- Senior Community Access Officer, First Nations Women's Legal Program, Women's Legal Service NSW
- Program Coordinator, Aboriginal Women's Advisory Network
- Member, NSW Coalition of Aboriginal Regional Alliances & Chairperson, Riverina Murray Regional Alliance
- A/Chief Executive Officer, NSW Coalition of Aboriginal Peak Organisations
- Deputy Chief Executive Officer, First Peoples Disability Network
- Chief Executive Officer, Aboriginal Legal Service (NSW/ACT)
- Principal Research Fellow, James Cook University

### 5. Culturally and Linguistically Diverse communities

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- Chief Executive Officer, Multicultural NSW
- Head of Women, Equity and Domestic and Family Violence, Settlement Services International
- Manager, Linking Hearts Service, Muslim Women Australia
- Executive Officer, Immigrant Women's SpeakOut Association of NSW
- Chief Executive Officer, Ethnic Communities' Council of NSW
- Senior Solicitor, Immigration and Domestic Violence practice, Immigration Advice and Rights Centre
- Systemic Advocate and Policy Officer, Multicultural Disability Advocacy Association
- Settlement Worker, Mosaic Multicultural Connections
- Principal Policy Officer, Community Care & Priority Populations, NSW Health
- Safe Life Project Lead, NSW Service for the Treatment and Rehabilitation of Torture and Trauma Survivors

# Coercive Control Implementation and Evaluation Taskforce Reference Group member agencies



Communities and Justice

## 6. LGBTQIA+

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- Deputy Secretary, Health System Strategy and Patient Experience, NSW Health
- Manager, LGBTQ+ Health Programs, Community Health, ACON
- The Gender Centre
- Managing Principal Solicitor, Inner City Legal Centre
- Principal Solicitor, HIV/AIDS Legal Centre
- LGBTQI+ Health Australia
- Director of Primary Prevention, Women's and Girls' Emergency Centre

## 7. People with disability

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- Deputy Secretary, Strategy, Policy and Commissioning, Department of Communities and Justice and Chair, Domestic and Family Violence and Sexual Assault Council
- Executive Director, Housing, Homelessness and Disability, Department of Communities and Justice
- President, People with Disability Australia
- Director, Operations, NSW Ageing and Disability Commission
- Chief Executive Officer, Carers NSW
- Deputy Chief Executive Officer, First Peoples Disability Network
- Commissioner, Mental Health Commission of NSW
- Multicultural Disability Advocacy Association

## 8. Older persons

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- Deputy Secretary, Strategy, Policy and Commissioning, Department of Communities and Justice and Chair, Domestic and Family Violence and Sexual Assault Council
- Director, Operations, NSW Ageing and Disability Commission
- Chief Executive Officer, Older Women's Network NSW
- Chief Executive Officer, Carers NSW
- General Manager, Policy and Advocacy, Dementia Australia
- Policy Manager, Country Women's Association of NSW
- Chief Executive Officer, Seniors Rights Service

# Coercive Control Implementation and Evaluation Taskforce Reference Group member agencies



Communities and Justice

- Chief Executive Officer, Council on the Ageing NSW

## 9. Children and youth

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- Executive Director, Social Policy, The Cabinet Office
- Advocate for Children and Young People
- Principal Solicitor (Harm Practice), Youth Law Australia
- Chief Executive Officer, Youth Action
- Executive Director, Youth Justice NSW, Department of Communities and Justice
- Centre Manager, Barnados Australia

## 10. Lived expertise

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- Chief Executive Officer, Women's Community Shelters and Chair, Domestic Violence NSW
- The Lived Expertise Reference Group was formed following an expression of interest process.