

4 August 2022

South West Sydney Legal Centre warns against the unintended consequences of rushing through coercive control legislation without proper consultation

South West Sydney Legal Centre is joining the call from across the domestic and family violence sector for increased consultation on the possible criminalisation of coercive control in New South Wales. The Centre has raised concerns that there could be unintended consequences for women, particularly First Nations women and women from culturally and linguistically diverse backgrounds, if the legislation is rushed into being.

South West Sydney Legal Centre is one of the larger frontline providers of domestic and family violence services in NSW, supporting thousands of women every year in some of the state's most disadvantaged local government areas.

"The NSW Government has so far resisted calls from the sector to give this legislation the consideration it requires," says Yvette Vignando, CEO of the Centre "Draft legislation has been shared, without the adequate time for the experts in the sector, including victim-survivor representative groups and cultural experts, to properly review it and give feedback."

"Frontline domestic and family violence services, like our own, can contribute expertise on the complex ways in which the legal and justice system impacts on victim-survivors. Time to review legislation and contribute to our peak bodies' submissions is essential, as is consultation with other stakeholders including police. It is impossible for us to contribute meaningfully with only a few weeks' notice."

"In our submission and in our evidence to the NSW parliamentary inquiry into coercive control we emphasised that lack of consultation and review presents real risks of significant unintended consequences for the very people this legislation aims to protect," says Ms Vignando.

In 2021, the Centre made a [detailed submission](#) to the NSW Government's Joint Select Committee on Coercive Control, in which it:

1. **advised that South West Sydney Legal Centre does not support the creation of a new coercive control offence in New South Wales at this time**, when there are many cultural and procedural changes required before the criminalisation of coercive control should be considered.
2. **advocated against rapid change without proper consultation and empirical study**. In July 2022, CEO Yvette Vignando co-signed an [open letter](#) from the NSW Women's Alliance to Minister Natalie Ward and Attorney General Mark Speakman asking for an extended consultation period to allow sector experts to review draft legislation.
3. **put forth a definition of coercive control** based on the clinical definition of coercive control.
4. **raised concerns that the misidentification of the primary perpetrator could mean that the criminalisation of coercive control has unintended consequences for many women**. Misidentification of the primary perpetrator is an issue acknowledged by the [NSW Audit Office review of police responses to domestic and family violence](#). The concern is that women, particularly Indigenous women, may face greater risk of criminal charges if misidentified under this new legislation.
5. **proposed alternate solutions**, including amendments to existing offences in NSW and non-legal avenues for reform.

Resources:

- Access South West Sydney Legal Centre's [full submission](#) to the NSW Government's Joint Select Committee on Coercive Control.
- Read the [Joint Letter from the NSW Women's Alliance](#) on extending the consultation period for coercive control draft legislation.

Information about South West Sydney Legal Centre

South West Sydney Legal Centre was founded in Liverpool in 1986, to provide free legal services so local people can improve their access to justice. We are now also one of the larger frontline providers of domestic and family violence (DFV) services in NSW.

Our services support many thousands of clients every year and serve some of the state's most disadvantaged local government areas. We support women affected by DFV to make safety plans, access protection from the courts and connect with services like housing, counselling and legal advice.

We operate multiple specialist services, all of which work with victim-survivors of DFV:

1. South West Sydney Community Legal Service
2. South West Sydney Women's Domestic Violence Court Advocacy Service
3. Sydney Women's Domestic Violence Court Advocacy Service
4. Bankstown Domestic Violence Service
5. Liverpool and Fairfield Staying Home Leaving Violence Service
6. Financial Counselling Service for women affected by DFV.

In 2021-22, our DFV services assisted nearly 8,000 women and demand increases every year. In the same year, there was a 20% increase in the number of referrals to our legal service of women experiencing DFV and women at risk of or experiencing DFV accounted for 72% of clients accessing our legal representation services.

More information is available here:

https://www.swslc.org.au/wp-content/uploads/2021/11/SWLC_AnnualReport_2020-2021_final.pdf