



Family violence at its most sinister

We talk to Fiona Reid, our regular family law columnist, and founder of Reid Family Lawyers, about the NSW Parliamentary Joint Select Committee findings on coercive control in domestic relationships.

“Implementing laws which criminally recognise coercive control as domestic abuse are long overdue” says Fiona. “One woman in Australia dies every week at the hands of her current or former partner. More often than not, coercive control has been an insidious element of that relationship”.

Coercive control is a form of domestic abuse where perpetrators of the abuse, by their actions, take away their partner’s autonomy and freedom.

Fiona explains, “The sorts of tactics which might be used by a perpetrator of coercive control include isolating their partner from friends and family, constant humiliation and criticism which has the effect of undermining someone’s self esteem, tracking your partner’s movements, controlling what your partner wears or how they spend money (even money they might have earned themselves), threats about what will happen if that partner ‘dares’ to leave the relationship and often, punishments if sexual advances are refused”.

The Committee report points out that while NSW domestic violence laws cover some types of coercive and controlling behaviour the justice system is geared to respond to individual incidents of physical violence which makes it harder to detect and punish perpetrators who use a complex pattern of behaviour to abuse their partners. “As a consequence, Fiona says, victims

of this type of abuse feel trapped in their relationship. Often police are helpless because coercive control is not a crime under the law within which police are bound to operate”.

Fiona shared Jennifer’s story with us.

Jennifer is a highly intelligent and capable woman. She is a leader in her chosen field of work.

Jennifer met her partner while they were both travelling in their late teens. He was her first boyfriend. They returned to Australia after their travels, got married and had 2 children. The coercive control began after the first of their children was born. Jennifer’s husband, Vince* refused to allow Jennifer’s family to come to the house to help with the their newborn, persuading Jennifer that ‘this was their time to establish their own ‘little family bubble’”.

One day Jennifer and Vince took their baby for a walk and the baby started crying because she was due for a feed. Jennifer took the baby out of the pram and sat on a park bench

to feed her. Vince went crazy telling her “you can’t get anything right, you don’t even know when your own kid needs food. You just want to make a spectacle of yourself”. Because she was embarrassed and intimidated, Jennifer chose not to feed her hungry baby. Instead, she suggested they return home to avoid causing a scene.

The car which the couple drove was old and unsafe and neither the air conditioner nor the driver’s window worked. Because Jennifer was on maternity leave and not working, when she asked Vince if he would get either the window or the air conditioning fixed because it was too hot for the baby when they were driving he said she was “greedy” and “ungrateful” and “worthless”.

Jennifer returned to work part-time as soon as she could after the baby was born thinking things would improve if Vince had less financial pressure. But Vince constantly told her she was “useless” and that the money she brought in was “hardly worth it, so why bother”.

Over time things escalated especially after their second child was born. If Vince didn’t get his way with Jennifer, he’d punish the kids, for example by cancelling their birthday parties or “cancelling” Christmas always telling the kids it was “mum’s fault”.

Vince often woke Jennifer in the middle of the night to berate her about how worthless her family was, to question her movements that day or what she had spent. He went through her phone and misrepresented innocent conversations with colleagues as extra-marital affairs. He deleted his abusive messages to her and notes she took about the violence during the marriage so she had no proof.

If Vince didn’t get his way with Jennifer, he’d punish the kids, cancelling their birthday parties or Christmas, always telling the kids it was “mum’s fault”.

Vince insisted on having sex with Jennifer up to 3 times a day. If she refused his advances, he would punish the children by yelling at them or taking away their privileges telling Jennifer it was her fault because he was frustrated. On one occasion Jennifer and the children had been invited to a birthday party. Vince was angry because he hadn’t been invited and told Jennifer she could only take the children with her if she had sex with him 3 times that morning. She agreed so the children wouldn’t be disappointed.

Over the years Jennifer had gone to the police for help. But because she had no physical signs of Vince’s abuse and because at the end of the day she had consented to his demands for sex, they told her their hands were tied. Jennifer was terrified of what would

happen if she left Vince and a Court made her leave the kids with him. It took amazing courage for her to finally leave the relationship and seek legal advice. For years, she was let down at every turn by counsellors, the police, doctors and so on and understandably has no faith that “the system” will work in her favour. Sadly, it often doesn’t.

We asked Fiona what we need for change?

- Education – not only for those frontline workers like the police, but for prosecutors, Judges, case workers in the domestic abuse arena, doctors, teachers, social workers and counsellors - so non-physical violence is better understood and recognised.
- Tougher laws which recognise coercive control as not only a form of domestic abuse, but a criminal offence.

- Specific penalties for the abuse which are implemented by Judges when they hand down sentences.
- Easier access to help and support for victims, including mental health and housing services.
- More funding for domestic abuse workers.
- Better liaison between law enforcement and social workers.
- Community awareness.
- Educating our children – and it’s important not just to educate and empower our girls but to educate our boys about respect and equality.

Fiona warns, “Jennifer’s story is not an isolated incident. Many of my clients past and present have been victims of coercive and controlling partners. Often the scars left by this type of abuse are deeper and more complex than those from physical abuse alone. As a community we need to support change”.


*Names have been changed.



Fiona Reid is the Managing Director of Reid Family Lawyers, a boutique specialist family law firm with offices in Brookvale and Surry Hills. She is supported by a team of expert family lawyers. The firm has a wealth of experience in all facets of family law including complex property matters, parenting matters, child support and spousal maintenance issues, relocation, de facto and same sex issues, surrogacy and adoption.

FREE 20 Minute Consultation

Fiona is offering a FREE 20 minute consultation to prospective clients who mention this article when they make an appointment for their initial conference. Call Fiona on **9091 0221** or email fiona@reidfamilylawyers.com.au.



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