



PARLIAMENT OF NEW SOUTH WALES  
LEGISLATIVE ASSEMBLY

**FIRST SESSION OF THE FIFTY-SEVENTH PARLIAMENT**

**Bills - Second Reading Debate**

18 February 2021

**CRIMES (DOMESTIC AND PERSONAL VIOLENCE)  
AMENDMENT (COERCIVE CONTROL—PREETHI'S LAW) BILL 2020**

**Ms SONIA HORNERY (Wallsend) ( 10:43 ):**

I speak in support of the Crimes (Domestic and Personal Violence) Amendment (Coercive Control—Preethi's Law) Bill 2020 introduced by the member for Shellharbour, which is long overdue. It criminalises coercive control and shines a light on this hideous behaviour. The member deserves applause for that. The bill achieves many vital goals, but two in particular. First, it pays tribute to the beautiful Dr Preethi Reddy; and, secondly, it draws a reluctant government to our domestic abuse action table—"action" being the operative word. In his contribution to the debate the Attorney General outlined a well-written precis of the 80-page October 2020 "Coercive Control Discussion Paper", which I have read. While the Coalition Government, under the leadership of the first female conservative Premier, makes up its mind, as the Attorney General said, "One woman every nine days is killed by a current or former partner." That is a terrible statistic. Why have there been 10 years of Coalition Government inertia?

The Attorney General repeated his careful words throughout the discussion paper as well as in his contribution to debate on the bill—terms such as "cautious", "careful" and "methodical" are oft used. Of course, I agree with the notion of a methodical approach and comprehensive consultation with all stakeholders. I know the member for Shellharbour wants that too. But, along with every other woman in New South Wales, I also want to see actions and decisions—words that have been lacking in the Attorney General's communications. I mentioned the Government's hesitancy; the United Kingdom, which is years ahead of New South Wales and Australia, has accomplished quite the opposite. To give a tangible example of

outcomes, laws introduced in England and Wales six years ago freed Sally from an 18-year murder sentence, which I will briefly outline for the House.

For 20 years Sally endured torment from her husband, Richard, who controlled her finances and movements, gaslighted her, cheated, verbally abused her and fat-shamed her. Her conviction was thrown out last year after evidence showed that she had been subjected to coercive control for years, which is a criminal offence in the UK. What if Sally had been a New South Wales citizen? She would still be locked up. Currently only Tasmania has laws that seek to respond to coercive and controlling behaviours in Australia. But let us turn briefly to Queensland. Tomorrow is Hannah Clarke's memorial—one year since her horrendous murder. Apart from paying tribute to Hannah, we must remember the incident, not because we want to remember how traumatic or horrific it was but to learn from it. The Queensland Government has learnt from it. It made a commitment before the election that it would take action through implementing a coercive control criminal offence, which it is doing right now. In fact, this week the Queensland Attorney-General announced that she has made a commitment that the State will have legislation within the next year.

The member for Shellharbour also has goals. We understand the importance of the joint select committee inquiry and I totally support communications and consultation with all the various services, police and the judiciary. They must be communicated with. I understand that the committee will report at the end of June, which is important. I ask the Attorney General to outline what happens next. He can do two things. He can look carefully at the bill before the House and say, "Well, it is not perfect but here are some amendments that I will adopt to make it better according to the Government." That is one step he could take to make a decision and take action right now, which is the option I prefer. The other option would be to say "Okay, it is an Opposition bill"—which he will be partisan about—"and I cannot let a private member's bill from a member of the Labor Opposition get through so I will make sure that I take action soon." So after the report is delivered by the joint select committee at the end of June, the Attorney General could introduce legislation similar to that of the member for Shellharbour. I suspect that might be the outcome, but I say to the Attorney General, "Look at the time. It is important, because every day that you hesitate another woman is being murdered in New South Wales via coercive control." Unlike Sally, women who are forced to take action against their violent partners are thrown in jail.

The member for Shellharbour has goals too. Her bill's goal is to create a broader definition of domestic abuse. I note that in schedule 1 to the bill she takes the time in new section 14A, subsection (2) (a) to (f) to outline, define and explain what coercive control is and what actions will be taken by the police and judiciary if it happens. I like that clarity, because the Attorney General said, "Well, people are confused. They do not know what is going on yet. They need more information." I urge members to read new section 14A, subsection (2) (a) to (f), and they will find some explanations. The next point I make is about the involvement of children. The member's bill states in new section 14A (3):

*Conduct may have, or be reasonably likely to have, an effect referred to in subsection (2) on a person even if the conduct is directed at a third person, including a child ...*

That is important to me. What price do we put on children's wellbeing? What effect will coercive control have on children as they grow up if they have witnessed that kind of abuse from their father or their mother's partner? We cannot ignore the implications, the trauma and the toll on children. The bill highlights how children are involved and what impact such behaviour will have on them. We do not want children to be involved, but they are. The Attorney General talked about being more careful and more timely. I suggest that he look carefully at the bill again, because it contains many answers. We know that last year, while our community supported the 16 days of action against gender-based violence, for the first time since its inception the Counting Dead Women Australia group recorded three deaths allegedly as a result of domestic violence in just one day.

We must take action, and we must take the people with us. I was going to refer to Jess Hill's book—which, as far as I am concerned, is the gold standard in understanding what domestic abuse and coercive control is all about—but instead I pay tribute to Jess Hill for the wonderful work that she has undertaken. I conclude by saying that it is just not good enough for us to say we must do what we can to prevent and end domestic violence; we must take real action. That is what the member's bill is all about. Support for the bill is clear. Real and clear action must be taken because the current suite of laws is not enough to address domestic violence. I applaud the member for Shellharbour.