



Position Paper: The ACT Youth Advisory Council's Position on Criminalising Coercive Control

This Position Paper was prepared by the ACT Youth Advisory Council (Council) and is representative of the lived experiences and diverse views of approximately 80,000 young people living in the ACT.

Council comprises 10 members aged 12-25 years at their time of appointment and who reflect the diversity of young people living in the ACT. Membership includes young people who identify across the gender spectrum and within the LGBTQIASB+ community, as well as those with disability, young people from culturally and racially marginalised backgrounds and Aboriginal and Torres Strait Islander communities, and individuals with diverse educational attainment and employment experiences. Council recognises that many young people often have identities which intersect across a number of these areas and may identify with communities and experiences outside of those listed here. Council is proud to serve as a link between young Canberrans (aged 12-25 years) and the ACT Government by facilitating young peoples' needs, ideas, aspirations and concerns to be heard through participation in consultations, surveys, community forums, open meetings and written submissions.

Council seeks to contribute an ACT youth perspective on the ACT Government's proposal to introduce legislation to criminalise coercive control as a standalone offence by mid-2026. Council considers it is vital to include children and young people's voices and lived experiences in this important reform that directly impacts their lives, families and communities.

We acknowledge that this position paper was prepared on the unceded sovereign lands of the Ngunnawal and Ngambri peoples. We pay our respects to traditional Custodians, Caretakers and Elders of Ngunnawal Country and Ngambri Country, both past and present. This always was, always will be, Aboriginal land.

High level Summary of Recommendations

1. Mandate Structural Youth Representation
2. Commence Targeted, Inclusive Consultation
3. Ensure Comprehensive Legislative Scope
4. Enforce Specialist Training for First Responders
5. Strengthen and Focus Sustainable Sector Funding
6. Develop Trusted Inter-Service Systems.

More detailed recommendations are provided later in the position paper (page 7).

Background

Across Australia, coercive control has become a central focus in family, domestic and sexual violence (FDSV) reform. The term refers to an ongoing pattern of emotional, psychological, social, economic, physical and sexual abuse used to dominate, isolate and entrap victims, eroding autonomy and leaving individuals fearful and dependent.

Council acknowledges the ACT Government's commitment to introduce legislation to criminalise coercive control as a standalone offence by mid-2026, recognising this as a milestone in strengthening community safety and preventing FDSV. This reform reflects growing recognition that non-physical forms of abuse can be as damaging as physical violence and deserve equivalent legal protections.

While the ACT Government's commitment to criminalising coercive control is a welcome step, Council's view is that the success of this reform depends on its ability to reflect the lived experiences of all affected groups, particularly young people who are disproportionately impacted by FDSV.

With the reform scheduled to be introduced by mid-2026, a key consideration will be *how* to ensure the resulting law is an effective mechanism to improve FDSV outcomes. This requires extensive consultation with the FDSV sector and broader ACT community, including diverse young people from across the ACT. Council believes that targeted, trauma-informed and youth-friendly consultation with diverse young Canberrans must be a priority of the ACT Government as it moves toward criminalising coercive control.

The Legislative Context & Consultation Gap

In 2024, the Domestic Violence Prevention Council (DVPC) published a Joint Discussion Paper on whether coercive control should be criminalised and how such reform might operate in the ACT. The paper highlights the complexities of criminalisation, particularly for Aboriginal and Torres Strait Islander communities, those who are culturally and/or racially marginalised (CARM) and other diverse communities, where systemic barriers, unique needs and disparate experiences of justice may amplify risks and unintended consequences. The paper emphasised that legislative change must be preceded by inclusive, trauma-informed consultation and introduced alongside education, prevention initiatives and community services to ensure reforms protect, rather than harm, those most affected ([DVPC, 2024](#)).

Council observes that there may be opportunities to strengthen youth-specific consultation. Section 8(1)(vi) of the *Family Violence Act 2016 (ACT)* (Family Violence Act) currently includes coercive behaviour in the definition of family violence, meaning that coercive control can be addressed under a family violence order. The definition of family violence under the Family Violence Act also includes behaviour that causes a child to hear, witness or otherwise be exposed to coercion (among other behaviours), or the effects of the behaviour, meaning that coercive control involving minors in a family environment can be addressed under a family violence order under section 8(1)(b).

However, there is no stand-alone criminal offence for coercive behaviour occurring outside a family violence order. There is also no reference to the realities faced by children and young people who experience coercive control as direct targets of abuse, rather than indirectly through exposure. Additionally, there is a lack of clarity about abuse occurring outside the family unit or in digital spaces, despite growing recognition of intimate partner violence (both within and outside family units) and technology-facilitated abuse, with young people experiencing high rates of both behaviours.

Further, current consultation initiatives, such as the DVPC and the recently established ACT Government steering committee on criminalising coercive control, may not yet include formal youth representation. Young people, especially Aboriginal and Torres Strait Islander youth and other diverse young people, remain underrepresented in formal reform processes, which Council considers an opportunity for the ACT Government to strengthen inclusivity.

The Importance of Youth Consultation

Children and young people are increasingly being recognised as victim-survivors of FDSV, including coercive control. Indeed, children and young people are particularly at risk of experiencing and being exposed to FDSV and its effects, incurring serious and long-lasting harms including negative health, wellbeing, education and social and emotional development outcomes ([AIHW, n.d.](#)). While most youth who have experienced or been

exposed to FDSV will not then perpetrate it, experiences of FDSV can increase the possibility of some children and young people using violence in their home or later in life, forming part of an intergenerational transmission of violence ([AIHW, n.d.](#)).

Although there is limited research on children and young people's experiences of, and exposure to coercive control specifically, research consistently shows that Australian youth are disproportionately impacted by FDSV ([ACMS, 2023](#)) ([AIHW, n.d.](#)) ([Flynn et al, 2022](#)). Despite this, a study found that younger Australians had 'condoning and minimising attitudes' towards some forms of coercive behaviours, signalling that young people lack awareness about acceptable and unacceptable behaviours within intimate relationships ([Strange et al, 2023](#)).

There is broad support for youth consultation among leading sector organisations and young victim-survivor advocates. Working with young victim-survivor advocates, Australia's national peak FDSV research organisation, ANROWS, released a guide calling on policy reform to recognise children and young people as victim-survivors. The guide recommends systems, policies and supports to centre youth voices, experiences and needs and prioritise their wellbeing and safety in systems and supports ([ANROWS, 2024](#)). The guide also acknowledges that young victim-survivors are not always fully included in FDSV policy discussions, with one young person emphasising the need for policymakers to 'Treat... us as victims in our own right, just "acknowledging" us is not enough. There needs to be actions to back up this statement' ([ANROWS, 2024](#)).

This is reflected in a 2021 report by the ACT Children and Young People's Commissioner and the Family Safety Hub, which recommended empowering, involving and centring children and young people, supporting them to speak up within systems and services and across government and the wider community ([CYPC, 2021](#)).

State and National Precedent for Youth Consultation

Calls for youth consultation in coercive control legislation have been echoed across other Australian jurisdictions. For example, when New South Wales became the first state to debate and enact standalone coercive control legislation, Youth Action NSW, the state youth peak body, recommended that the NSW Government Joint Select Committee on Coercive Control consult young people on the change. Youth Action NSW highlighted the need for young people to be included in the conversation on coercive control, stating: 'young people's voices must contribute to police, justice and non-government responses to Domestic and Family Violence' ([Youth Action NSW, 2021](#)).

Similarly, when South Australia held an inquiry into its coercive control legislation, the Youth Affairs Council of South Australia recommended that the state government consult young people and the youth sector on primary prevention initiatives to best support young people in 'developing an understanding of healthy, respectful relationships as well as how to best

participate in social, civil and personal life' ([Youth Affairs Council of South Australia, 2023](#)). Moreover, the Australian Government has demonstrated a commitment to consulting young people on FDSV policy and legislation through initiatives like the Prevention of Gender Based Violence Youth Advisory Group, which provides youth input into projects under the *National Plan to End Violence Against Women and Children 2022–32* ([Office for Youth, n.d.](#)). This suggests there is significant support for youth consultation in coercive control reforms across state and national jurisdictions.

Position Statement

The ACT Government's commitment to criminalising coercive control by mid-2026 is a necessary and critical step in modernising the Territory's FDSV framework. This reform rightly acknowledges that patterns of emotional, psychological and economic abuse are as devastating as physical violence. However, legislation created without direct input from a disproportionately affected demographic - young people, may not fully achieve its objectives to protect vulnerable communities and deliver justice to victim-survivors. Council asserts that targeted, genuine youth consultation is essential for the successful and equitable implementation of coercive control legislation.

Young people are not simply indirect witnesses to FDSV; they are victim-survivors, facing unique experiences and impacts of coercive control that often fall outside the traditional lens of FDSV law. Research consistently shows Australian youth are disproportionately impacted by FDSV. Critically, the experiences of young Canberrans are significantly shaped by technology-facilitated abuse and intimate partner violence occurring within adolescent relationships, often outside the traditional "family unit". Furthermore, young people from diverse backgrounds, including Aboriginal and Torres Strait Islander youth and CARM youth, navigate compounded risks due to systemic failures in justice systems. Without consultation, these specific, direct, non-parental and/or digital forms of abuse may not be fully captured in legislative design, potentially leading to significant gaps in the effectiveness of the new laws.

The current legislative landscape presents opportunities to strengthen youth consultation mechanisms. While the Family Violence Act addresses the exposure of children to coercive control within a family setting, it does not explicitly account for young people who are the *direct* targets of abuse.

Furthermore, existing reform bodies, including the DVPC and the ACT Government's coercive control steering committee, do not currently include dedicated youth representation, which limits opportunities for the lived realities of young people to inform foundational definitions, legal thresholds and unintended consequences of the new law.

Passing legislation based solely on adult victim-survivor experiences, while vital and much-needed, may make it more difficult to effectively address the dynamics of young people's experiences of FDSV.

Effective legislation must reflect the reality of those it seeks to protect. Consultations must move beyond perfunctory engagement and adopt youth-friendly, trauma-informed methodologies that actively seek out diverse voices from across the ACT.

As demonstrated by the conversation on coercive control and FDSV across New South Wales, South Australia and federally, including young people in the policy development phase is recognised as best practice for designing meaningful, effective legislative reform to deliver safety and justice for young people affected by FDSV. By genuinely centring youth experiences, the ACT Government can mitigate the risk of adverse outcomes, such as the disproportionate criminalisation of already marginalised young people and ensure the new offence provides a clear, protective mechanism.

In moving towards criminalisation, the ACT Government has an opportunity to set a national standard for inclusive legislative reform. More than a gesture of inclusion, consulting with young people is a critical safeguard against unintended harm and a necessary mechanism for guaranteeing the law is fit-for-purpose. Council urges the ACT Government to immediately prioritise youth consultation to ensure the resulting coercive control offence is robust, protective and truly reflective of all community members affected by FDSV.

Recommendations

Considering the demonstrated and ongoing opportunity to better address the needs of young people and the disproportionate impact of FDSV they experience, the ACT Youth Advisory Council formally recommends that the ACT Government:

1. **Mandate Structural Youth Representation:** Appoint at least one youth and/or youth peak body representative to the ACT Government steering committee on criminalising coercive control, ensuring that the development of the legislation is informed directly by the lived experiences of young people from the outset, thereby closing the current legislative blind spot.
2. **Commence Targeted, Inclusive Consultation:** Hold targeted consultations with diverse young people, leveraging both local community networks and youth-friendly online submissions channels. This consultation must be explicitly gendered-violence informed, trauma-informed, disability-inclusive and culturally safe, ensuring comprehensive input from high-risk groups, including Aboriginal and Torres Strait Islander youth and those who are culturally and/or racially marginalised (CARM). Ensure consultation opportunities for young people to provide input across all stages of the legislative process, from drafting to implementation. Consider partnering with

the ACT Youth Coalition and similar ACT-based youth organisations to deliver in-person consultation opportunities, thereby broadening outreach.

3. **Ensure Comprehensive Legislative Scope:** Explicitly acknowledge and recognise young people as victim-survivors of coercive control, ensuring the resulting legislation covers:
 - coercive control in adolescent relationships (intimate partner violence)
 - abuse perpetrated by families, communities, or guardians
 - the use of children/young people as tools to perpetrate coercive control between parents or guardians (parental coercive control)
 - any relationship where one party has a power imbalance over another, moving beyond traditional romantic partner definitions.
4. **Enforce Specialist Training for First Responders:** Implement and enforce mandatory cultural safety and specialist trauma-informed training for all first responders (including ACT Policing) to enhance their ability to recognise and take seriously the unique dynamics of coercive control involving young people. This will ensure reported cases are handled with competence and that involved victims are appropriately supported, addressing the need for cultural awareness highlighted in the background.
5. **Deliver Sustainable, Targeted Sector Funding:** Boost funding for the FDSV sector through sustainable funding models, ensuring ACT sector organisations have the resources they need to meet demand for their services. Commit additional, sustainable funding opportunities for youth-focussed FDSV services in the ACT, thus providing sector organisations with support to provide quality care to young people with lived experience of FDSV.
6. **Develop Trusted Inter-Service Systems:** Encourage the precise development of victim-centric inter-service systems that allow services supporting victims to appropriately and safely share essential information. This framework must prioritise maintaining the young victim-survivor's trust and security, preventing information mismanagement that could jeopardise their safety or expose them to further violence or abuse.

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