Women with Disabilities ACT

Submission to the Inquiry into Crimes (Coercive Control) Amendment Bill 2026

24 July 2026

About WWDACT

Women with Disabilities ACT (WWDACT) is a systemic advocacy and peer support organisation dedicated to advancing the rights, safety, and inclusion of women, girls, non-binary and gender diverse people with disabilities in the ACT region. Established in 1995, WWDACT's work is underpinned by a human rights philosophy, aligning closely with the Convention on the Rights of Persons with Disabilities (CRPD) and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). WWDACT is unique in its intersectional approach to gender and disability advocacy, utilising co-design principles and lived experiences of members to influence policy and drive systemic change. As a Disabled People's Organisation, we are run by and for women and non-binary people with disabilities.

About this submission

This submission was prepared by WWDACT. The contents of the submission were also informed by discussions with WWDACT's Policy Advisory Committee, consisting of 6 women and non-binary people with lived experience of disabilities.

Executive Summary

Women With Disabilities ACT (WWDACT) supports the recognition of coercive control as a serious form of domestic and family violence and welcomes the ACT Government's efforts to strengthen responses to patterns of abuse, domination and control that are often overlooked by incident-based approaches[1]. The Crimes (Coercive Control) Amendment Bill 2026 represents an important opportunity to improve legal recognition of coercive control and strengthen accountability for perpetrators.

Women, non-binary and gender diverse people with disabilities may experience coercive control through disability-specific forms of abuse, including control of personal care, communication, assistive technology, healthcare, disability supports and decision-making.[2] These experiences require disability-inclusive guidance, accessible justice pathways and systems capable of recognising and responding to diverse experiences of harm.[3]

However, WWDACT **does not support the Crimes (Coercive Control) Amendment Bill 2026 proceeding in its current form.**

While WWDACT supports criminalising coercive control in principle, legislative reform alone will not deliver improved safety, justice or accountability for victim-survivors. The effectiveness of the proposed offence will depend on whether the systems responsible for implementation are adequately resourced, accessible and equipped to respond to the complex realities of coercive control, particularly for people with disabilities.

WWDACT's submission identifies four key concerns with the Bill:

- Lack of significant and sustained funding for implementation**,** including investment in specialist domestic and family violence services, disability advocacy, accessible housing, workforce capability and perpetrator interventions.
- Risks and unintended consequences for people with disabilities**,** including disability-specific experiences of coercive control, accessibility barriers, and the risk of victim-survivors being misidentified within the criminal justice system.
- Sentencing and court pathways**,** particularly the accessibility implications of a Supreme Court-based response and the potential impact on victim-survivor participation and access to justice.
- Insufficient governance, monitoring and evaluation mechanisms**,** including the absence of robust reporting, accountability and oversight arrangements to assess the effectiveness and impact of the reforms over time.

WWDACT supports the criminalisation of coercive control in principle. However, for this reform to improve safety and access to justice for women, non-binary and gender-diverse people with disabilities, it must be accompanied by meaningful investment, disability-inclusive implementation and strong accountability mechanisms. The introduction of a standalone offence should be used as a

[1] ACT Government, *Crimes Legislation Amendment Bill 2026 (ACT): Exposure Draft* (2026).
[2] Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, *Final Report* (2023) ('Disability Royal Commission Final Report'); Women with Disabilities Australia, *Website* (2026).
[3] *Disability Royal Commission Final Report* (n 2).

catalyst for broader systems change, not as a standalone solution to domestic and family violence. WWDACT therefore urges the ACT Government to address the implementation, accessibility, court pathway and governance concerns identified in this submission before the Bill proceeds, ensuring that the reform delivers meaningful, equitable and victim-survivor-centred outcomes for all members of the ACT community.

Disability and Coercive Control

Disability-specific Coercive Control

Women, non-binary and gender diverse people with disabilities experience coercive control in ways that are often overlooked or misunderstood within mainstream domestic and family violence responses[4]. Coercive control may be embedded within caring, family, support or dependency relationships and can be facilitated through a person's reliance on others for essential supports, services or daily living needs.

For people with disabilities, coercive control may include:

- restricting or withholding personal care and support;
- controlling access to medication, healthcare or therapeutic services;
- preventing access to communication, interpreters or communication aids;
- controlling assistive technology, mobility aids or transport;
- manipulating disability supports, including NDIS-funded supports;
- restricting participation in community, education or employment;
- controlling finances or disability-related payments;
- limiting access to family, friends and informal support networks; and
- undermining autonomy, supported decision-making and personal choice.

These forms of abuse may not always be recognised as family violence by police, courts or service providers and can instead be mischaracterised as care arrangements, support decisions or service-related issues[5]. As a result, victim-survivors with disabilities may face additional barriers to having their experiences identified, believed and responded to appropriately.

[4] Dyson, S., Frawley, P., & Robinson, S. (2017). *"Whatever it takes": Access for women with disabilities to domestic and domestic violence services: Final report* (ANROWS Horizons, 05/2017). Sydney: ANROWS.
[5] Women with Disabilities Victoria, *Voices Against Violence: Paper 2 — Background and Literature Review on Violence Against Women with Disabilities* (2014).

Key Concern 1: Lack of Implementation Funding

Recognising coercive control as a criminal offence represents a significant reform of the ACT's domestic and family violence response framework. While WWDACT supports the recognition of coercive control as a serious form of family violence, legislative change alone will not improve safety outcomes for victim-survivors. The effectiveness of the proposed offence will depend on whether justice, domestic and family violence, disability and community service systems have the capacity, capability and resources required for implementation[6].

Consultation with WWDACT members through the Policy Advisory Committee (PAC) identified strong concerns that women, non-binary and gender-diverse people with disabilities will not benefit from the proposed reforms unless substantial investment accompanies the legislation. Members consistently emphasised that criminalisation on its own cannot address the barriers that people with disabilities face when seeking safety, reporting abuse or participating in justice processes.

The Bill will create increased demand across a range of systems, including specialist domestic and family violence services, legal assistance and advocacy services, disability advocacy and support organisations and accessible reporting, referral and support pathways.

The introduction of a coercive control offence must therefore be accompanied by:

- substantial funding for domestic, family and sexual violence services, including disability-specific supports;
- expanded disability advocacy and legal assistance services;
- increased availability of accessible crisis accommodation and long-term housing options;
- ongoing community education and public awareness initiatives; and
- a funded workforce capability strategy across policing, courts, family violence services and community services.

Sustained investment is also required in the services that support victim-survivors before, during and after engagement with the justice system, including counselling and psychosocial supports, and evidence-informed perpetrator intervention and behaviour change programs.

WWDACT notes that while the Bill provides for a two-year implementation period before commencement, the recent 2026-27 ACT Budget did not include any commitment to dedicated implementation funding[7]. The existence of a delayed commencement period will have limited practical effect if the services and infrastructure required to support implementation are not adequately resourced during that time.

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[6] United Nations Committee on the Rights of Persons with Disabilities, *General Comment No 3 (2016) on Women and Girls with Disabilities*, UN Doc CRPD/C/GC/3 (2016); Domestic Violence NSW, *Victim-Survivors of Domestic Violence Turned Away as Services Reach Breaking Point* (2025); Australian Institute of Health and Welfare, *Family, Domestic and Sexual Violence* (2024).

[7] ACT Treasury, *ACT Budget at a Glance 2026-27* (Budget Paper, 2026) https://www.treasury.act.gov.au/__data/assets/pdf_file/0003/3080658/ACT-Budget-at-a-Glance-2026-27.pdf

WWDACT is further concerned that the ACT's current Domestic, Family and Sexual Violence Strategy has not been accompanied by significant new investment across the domestic and family violence service system[8], meaning that work to address domestic violence within the ACT will be a compendium of existing work, not a driver of new prevention or response programs.

The introduction of a standalone coercive control offence should therefore be accompanied by a funded, whole-of-system implementation strategy that strengthens prevention, early intervention, crisis response, recovery, perpetrator accountability and disability-inclusive access to justice.

Recommendation 1: Provide Sustainable Funding and System Capacity to Support Implementation

The ACT Government should commit substantial, dedicated and ongoing funding to support implementation of the offence prior to commencement.

Investment should include:

- specialist domestic, family and sexual violence services;
- ongoing trauma-informed training for police, prosecutors, judicial officers, court staff and frontline workers;
- legal assistance and advocacy;
- accessible crisis accommodation and housing;
- perpetrator intervention and behaviour change programs;
- community education and awareness campaigns; and
- implementation monitoring, data collection and evaluation.

[8] ACT Treasury, *ACT Budget at a Glance 2026-27* (n 16).

Key Concern 2: Misidentification and the Risk of Unintended Consequences

WWDACT is concerned about the risk of misidentification within the criminal justice system. Evidence consistently shows that victim-survivors can be incorrectly identified as perpetrators, particularly where systems fail to understand the dynamics of coercive control, trauma responses, disability, communication differences or intersecting forms of discrimination[9].

This risk is heightened for:

- women and gender-diverse people with disabilities;
- Aboriginal and Torres Strait Islander women;
- people with psychosocial disability;
- people with intellectual or cognitive disability;
- people who use alternative or supported communication; and
- people whose responses to abuse may be misinterpreted by service providers or law enforcement agencies.

Effective implementation will require safeguards that ensure disability-related experiences of coercive control are recognised, accessibility barriers are addressed, and victim-survivors are not inadvertently criminalised.

Recommendation 2: Embed Disability Inclusion and Safeguards Across Implementation

The ACT Government should adopt a disability-inclusive implementation framework supported by dedicated funding, accountability mechanisms and ongoing oversight.

Implementation measures should include:

- guaranteed disability representation on the Coercive Control Advisory Committee;
- funded participation of disability advocacy organisations and lived-experience representatives;
- accessible information, education, reporting and referral pathways;
- communication supports and reasonable adjustments throughout justice processes;
- disability-informed and trauma-informed training for police, prosecutors, judicial officers and frontline services;
- specialist guidance on disability-related coercive control, including abuse involving disability supports, healthcare, communication and decision-making arrangements;
- monitoring and public reporting on allegations and instances of misidentification; and
- ongoing consultation with people with disability throughout implementation, evaluation and legislative review.

[9] Australian Human Rights Commission, *Equal Before the Law: Towards Disability Justice Strategies* (2014) ('Equal Before the Law'); *Disability Royal Commission Final Report* (n 2).

Key Concern 3: Sentence Length and Court Pathways

WWDACT recognises the serious nature of coercive control and supports the need for meaningful consequences for perpetrators. However, the effectiveness of the proposed offence will depend not only on the maximum available penalty, but also on whether victim-survivors can realistically engage with and remain involved in the justice process.

The Bill proposes a maximum penalty of seven years imprisonment for coercive control. In practice, this is likely to result in matters being heard in the Supreme Court rather than the Magistrates Court.

Consultation with WWDACT's PAC raised significant concerns about the accessibility and practicality of this approach. Members noted that Supreme Court proceedings are typically:

- lengthy and procedurally complex;
- more resource-intensive for all parties;
- slower to progress and finalise; and
- likely to compete with other serious criminal matters for court time.

PAC Members expressed concern that coercive control matters may be deprioritised within a court system managing offences such as homicide and serious violent crime, resulting in prolonged delays for victim-survivors seeking justice.

For women and gender-diverse people with disabilities, these barriers can be particularly pronounced. Long and complex court proceedings may require sustained emotional, financial and practical resources that many victim-survivors simply do not have. Participants noted that many people with disabilities do not have the capacity to endure years of investigation, preparation and litigation while simultaneously managing disability-related support needs, trauma and everyday living pressures.

WWDACT is concerned that a justice pathway that is technically available but practically inaccessible risks undermining the intended benefits of the reform. An offence that victim-survivors are unwilling or unable to pursue will have limited capacity to improve safety, accountability or access to justice.

Members identified a potential trade-off between a higher maximum penalty and a more accessible court pathway. While recognising the importance of reflecting the seriousness of coercive control, many members expressed support for reviewing the proposed maximum sentence if doing so would allow matters to be heard in the Magistrates Court. A more accessible jurisdiction may increase reporting, improve victim-survivor engagement and reduce the risk of additional trauma associated with prolonged legal proceedings.

WWDACT therefore considers that accessibility, timeliness and victim-survivor participation should be central considerations in determining the appropriate sentencing framework and jurisdiction for the offence.

Cost of Living and Economic Entrapment

WWDACT's PAC also emphasised the importance of situating coercive control within the broader social and economic context. Members highlighted that the current cost-of-living crisis is increasing financial dependence, housing insecurity and barriers to leaving abusive relationships.

For women and gender-diverse people with disabilities, who are disproportionately affected by poverty and economic disadvantage[10], rising living costs can intensify vulnerability to coercive control, particularly financial abuse. Economic dependence on a partner, family member or carer can increase entrapment and reduce a person's ability to seek safety or pursue legal options.

WWDACT therefore considers that coercive control reform must be accompanied by broader investments in accessible housing, income security, disability supports and specialist domestic and family violence services.

Recommendation 3: Review Sentencing and Court Pathways to Improve Accessibility and Justice Outcomes

The ACT Government should review the proposed maximum penalty and associated court pathway to determine whether matters could be heard in the Magistrates Court without undermining the seriousness of the offence.

This review should specifically consider:

- accessibility for people with disabilities;
- timeliness of proceedings;
- victim-survivor participation and retention throughout the justice process;
- impacts of court delays on safety and wellbeing;
- access to communication supports and reasonable adjustments; and
- the effectiveness of different court pathways in achieving accountability and justice outcomes.

The success of the offence should not be measured solely by the severity of the available penalty, but by whether victim-survivors can safely, effectively and meaningfully access the justice system.

[10] Women With Disabilities Australia, *The Status of Women and Girls with Disability in Australia* (Report, 2019) https://wwda-org-au.assets.ionatahosting.net/uploads/2020/06/The-Status-of-Women-and-Girls-with-Disability-Asutralia.pdf

Key Concern 4: Stronger Monitoring, Governance and Evaluation Required

WWDACT welcomes the inclusion of a review provision under section 72K of the Bill. However, the current provision only requires a review of the operation of the amendments after three years and provides limited guidance on the matters that must be considered. This risks creating a review process that is unable to adequately assess whether the offence is operating as intended, identify unintended consequences or examine its impact on particular communities, including people with disabilities.

WWDACT notes that other jurisdictions have recognised the complexity of coercive control reform and established stronger implementation and evaluation frameworks. In New South Wales, the coercive control reforms are supported by an Implementation and Evaluation Taskforce with ongoing monitoring responsibilities, stakeholder engagement mechanisms and regular reporting requirement[11].

Given the significant implications of this reform, WWDACT recommends that the ACT adopt a more detailed statutory review framework and require annual public reporting to support transparency and accountability.

The review provision should include a consideration of:

- the effectiveness of training delivered to police, prosecutors, judicial officers and frontline services;
- how the offence is being interpreted and applied in practice;
- the experiences of victim-survivors engaging with the criminal justice system;
- the use of the offence by and against different population groups, including people with disabilities, Aboriginal and Torres Strait Islander people and culturally and linguistically diverse communities;
- allegations and instances of misidentification;
- instances where coercive control is reported but charges are not laid, including the reasons for decisions not to proceed;
- accessibility barriers experienced by victim-survivors and witnesses;
- the effectiveness of referral pathways between justice, disability and domestic and family violence services; and
- the broader impact of the offence on prevention, accountability and community understanding of coercive control.
- demand on domestic and family violence, legal and disability advocacy services; and
- victim-survivor experiences and satisfaction with justice processes.

This information should be disaggregated wherever possible to enable analysis of outcomes for people with disabilities and other groups who may experience barriers to accessing justice.

[11] New South Wales Department of Communities and Justice, *Coercive Control Taskforce Statutory Report July 2025* (Statutory Report, 1 July 2025).

Recommendation 4: Strengthen Governance, Monitoring and Review

WWDACT recommends that the ACT Government strengthen the governance and accountability framework for the coercive control reforms by:

1. expanding the statutory review provisions in section 72K to include specified matters for examination;
2. requiring annual public reporting on the operation of the offence;
3. establishing an ongoing implementation and evaluation mechanism;
4. ensuring representation of people with disabilities, disability advocacy organisations and lived-experience experts in governance structures; and
5. providing dedicated funding to support monitoring, data collection, evaluation and continuous improvement.

Effective implementation requires ongoing oversight, transparency and accountability, rather than relying solely on a review conducted three years after commencement.

Additional Recommendations

Broaden the Scope of Family Violence Coverage

WWDACT supports the broad definition of "family member" adopted in the Bill and recognises that coercive control can occur across a range of family and domestic relationships, not solely within intimate partner relationships.

For women, non-binary and gender diverse people with disabilities, disability-related coercive control can be facilitated through a person's reliance on others for essential supports and services. As a result, abusive behaviour may be more difficult to identify and may be incorrectly characterised as care, support or service provision rather than family violence[12].

WWDACT therefore supports legislative and implementation measures that explicitly recognise coercive control occurring within family, caring and support relationships. Guidance material, training and public education should reinforce that coercive control can occur wherever dependency, authority or power imbalances create opportunities for abuse and exploitation.

Recommendation 5: Ensure Broad Recognition of Coercive Control Across Domestic, Family, Caring and Support Relationships

The ACT Government should ensure that implementation of the offence explicitly recognises coercive control occurring within:

- family relationships;
- caring relationships;
- disability support relationships; and
- guardianship and decision-making arrangements;

Training, guidance and community education should assist police, prosecutors, courts and service providers to identify disability-related coercive control and distinguish abusive conduct from legitimate support arrangements.

[12] Women with Disabilities Victoria, *Voices Against Violence: Paper 2 — Background and Literature Review on Violence Against Women with Disabilities* (2014).

Conclusion

The Bill represents an important opportunity to improve legal responses to patterns of abuse, domination and control that are often overlooked by incident-based approaches and to strengthen accountability for perpetrators.

WWDACT remains concerned about the absence of dedicated implementation funding, the accessibility of proposed court pathways, the risk of misidentification and unintended consequences for people with disabilities, and the limited monitoring, governance and review mechanisms included in the Bill. Without substantial investment and stronger accountability measures, there is a risk that the reform will increase demand on already stretched systems without delivering meaningful improvements in safety and justice outcomes.

WWDACT therefore calls on the ACT Government to strengthen the Bill through significant and sustained funding for implementation, disability-inclusive safeguards to address the risk of misidentification and unintended consequences, accessible sentencing and court pathways that support meaningful victim-survivor participation, and stronger governance, monitoring and evaluation mechanisms to ensure the reforms are effective, accountable and responsive to the experiences of people with disabilities.