



ISOLATION

SHAME

GASLIGHTING

MANIPULATION

INTIMIDATION

HUMILIATION

BLAME

CONTROL

JEALOUSY

CRITICISM

SILENCE

THREATS

BELITTLEMENT

DOMINATION

LIKE A PUPPET ON A STRING

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2026

On the 1st of January 1967 Sandy Shaw released a song that went on to be number one on the Billboard charts for three weeks with over 4,000,000 copies of the single being sold worldwide.

That song was Puppet on a String. The lyrics in this song include:

Love is like a merry-go-round

With all the fun of fair

One day I am feeling down on the ground

Then I'm up in the air

Are you leading me on?

Tomorrow will you be gone?

I may win on the roundabout

Then I lose on the swings

In or out, there is never a doubt

Just who's pulling the strings

I'm all tied up in you

But where's it leading me to?

At the time of its release this was a song about love, that if their partner said they cared and loved them they would gladly remain there, like a puppet on a string. It likened the highs and lows of the relationship to that of a fun fair. By the end of this paper, I hope that you revisit these lyrics and that you consider them from a different perspective.

It feels like every affidavit you read these days has the statement in it, "XXX has engaged in coercive and controlling behaviour". That's it.....full stop. There might be one or two incidents mentioned to support this but often there is nothing, as if the sentence itself is sufficient for the bench to make that finding or the mere fact it has been said makes it so.

Having said that there is good reason why we are repeatedly seeing this statement however, practitioners must properly understand what it means, the distinction between the behaviours and how to ensure the client's evidence is presented so that the bench can make the findings you are seeking.

The recognition of coercive and controlling behaviour within Australian law has undergone profound transformation over the past decade. Courts are increasingly recognising that some of the most damaging forms of abuse may occur through sustained patterns of domination, intimidation, humiliation, surveillance, emotional manipulation, financial restriction and psychological control.

This modern understanding of family violence reflects a broader societal and legal shift towards recognising coercive and controlling behaviour as a central feature of family violence.

This shift is reflected legislatively through the expansion of the definition of family violence under the Family Law Act 1975 (Cth) ("FLA"), judicially through decisions including *Pickford & Pickford* [2024] FedCFamC1A 249 and *Melounis & Melounis* (No 6) [2025] FedCFamC1F 938, and politically through the introduction of criminal coercive control offences across several Australian jurisdictions. Recently, we have seen the first person convicted and jailed for coercive and controlling behaviour in New South Wales.

Together, these developments demonstrate increasing judicial and societal recognition that family violence is often not characterised by isolated incidents of physical violence, but rather by sustained systems of domination intended to erode autonomy, independence, dignity and emotional safety.

Historically, family violence was predominantly conceptualised through physical assault and overt threats of harm. Legal systems traditionally focused upon visible injury, police intervention and immediate physical danger. Emotional abuse, psychological domination and patterns of coercive behaviour were frequently minimised or overlooked.

Over time, however, researchers, psychologists, victim advocates and courts increasingly recognised that many victims of family violence experienced profound fear, entrapment and domination without repeated physical assault.

Victims frequently described relationships characterised by:

- relentless monitoring;
- emotional degradation;
- financial deprivation;
- intimidation;
- humiliation;
- social isolation;
- surveillance;
- manipulation;
- and psychological destabilisation¹.

¹ NSW Government 2020 Discussion Paper –Coercive Control

One of the most influential contributors to this field was Professor Evan Stark, who along with his wife, Dr Anne Flitcraft researched domestic abuse and in 1996 they published *Woman at Risk: Domestic Violence and Woman's Health*. Later in 2007 Professor Stark published *Coercive Control: How Men Entrap Women in Personal Life*. It is in this paper that Professor Stark described coercive control as a “liberty crime”.

For Professor Stark, coercive control is a framework of abuse that erodes a victim-survivor's autonomy and agency. Professor Stark argued that the true harm within many abusive relationships lies not merely in physical violence, but in the systematic erosion of autonomy, independence and freedom. He also emphasised that this does not necessarily have to coincide with physical violence. That, coercive control is a way for perpetrators to micromanage the daily life of their partners, and that this can be achieved through a range of behaviours, some of which have been mentioned above².

According to Stark, coercive control is fundamentally about power and domination.

Physical violence may be one mechanism of control, but it is often part of a broader system of oppression involving emotional pressure, dependency and fear.

Importantly, coercive control is cumulative.

Individual acts may appear trivial when viewed in isolation. However, when examined collectively and contextually, they may reveal a deeply oppressive pattern of behaviour.

Section 4AB

Family violence is directly relevant not only to protective and safety considerations, but also to:

- parenting arrangements;
- best interests assessments;
- credibility findings;
- and litigation dynamics.

Following amendments to the Family Law Act 1975 (Cth) in 2011 the definition of family violence under Section 4AB fundamentally broadened.

The Section 4AB(1) now defines family violence as:

violent, threatening or other behaviour by a person that coerces or controls a family member or causes them to be fearful.

² <https://aifs.gov.au/all-research/research-reports/coercive-control-literature-review>

Section 4AB(2) specifically gives examples of what behaviour may constitute family violence including:

- repeated derogatory taunts;
- emotional and psychological abuse;
- financial abuse;
- social isolation;
- monitoring communications;
- damaging property;
- harming animals;
- preventing relationships with family and friends;
- and conduct designed to dominate or intimidate.

The inclusion of the words “coerces or controls” into the definition of family violence represented a major conceptual shift in Australian family law. However, these words are not defined in the Act.

There have been a number of authorities, both in Australia and in comparable jurisdictions, in which these words have been considered both separately and in combination for example in *Illgen and Yike* [2018] FamCA 17, *Ramzi & Moussa* [2022] FedCFamC2F 1473 and *F v M* [2021] EWFC 4³.

Altobelli J at [40] in *Melounis & Melounis (No. 6)* states that when considering if behaviour is coercive and/or controlling it is clear that context is important.

In the matter of *Pickford & Pickford* [2024] FedCFamC1A 249 *Aldridge and Carew JJ* at [53] and *Austin and Williams JJ* at [94] commented:

[53] It must be recognised that, particularly in parenting matters, parents will often disagree. Matters may be seen as proper or as coercive or controlling depending on the circumstances. For example, a proposal that a child be seen by a particular doctor, that changeovers take place in a particular manner or that a certain person not be alone with the children are all capable of being seen as both reasonable and proper parenting proposals or may also be examples of coercive and controlling behaviours.

[94] The evidence of parental conflict in this case was abundant, but it is important to observe how parental conflict and family violence are not one of the same thing. Parents can be in conflict without one perpetrating family violence upon the other. Mere disagreement between parties, even if voluble, is not necessarily family violence.

³ [39] *Melounis & Melounis (No. 6)* [2025] FedCFamC1F 938

Coercive Behaviour vs Controlling Behaviour

Although the terms “coercive” and “controlling” behaviour are frequently used together, they are not necessarily identical concepts.

As referred to above section 4AB itself refers to behaviour that “coerces or controls”, thereby recognising both dimensions.

Bennett J in the matter of *Carter & Wilson* [2023] FedCFamC1A9 at [74] highlighted the disjunctive nature between coercion and control:

Coercive control is a technical phrase in social science literature. It is a concatenation of coercive behaviour and controlling behaviour and is a subcategory of one or both types of behaviour. Whilst the term coercive control has been attributed a legal definition in legislation in some jurisdictions, s 4AB of the Act does not do so. Accordingly, it would be an error to describe the behaviour defined in s 4AB as merely coercive controlling behaviour or coercive and controlling behaviour because to do so could exclude behaviour which is controlling but not coercive or coercive but not controlling, as well as behaviour which cannot be said to constitute a course of conduct. This would limit the ambit of s 4AB in a manner not intended.

Her Honour’s observation of the potential error in conflating the two concepts was supported by McClelland DCJ at [48]- [49] in *Pickford*. This does not mean that behaviour can not be found to be both coercive and controlling as the two concepts are closely related.

In *Pickford* the Court referred to Justice Hayden’s framework for assessing the characteristics of coercive or controlling behaviours at [108] in the matter of *F v M* [2021] EWFC 4.

Controlling behaviour generally refers to conduct designed to regulate, dominate or restrict another person’s autonomy.

Examples may include:

- monitoring movements;
- controlling finances;
- restricting social interactions;
- limiting contact with family and friends;
- demanding access to communications;
- or imposing rules regarding daily life.

Controlling behaviour is fundamentally about restriction and domination.

It involves one person attempting to govern or dictate another person’s choices, freedoms or independence.

Coercive behaviour, by contrast, often involves pressure, intimidation, threats (including physical harm and humiliation) or manipulation intended to compel compliance and remove autonomy.

Coercion may involve:

- threats;
- intimidation;
- emotional pressure;
- psychological manipulation;
- humiliation
- blackmail;
- fear-based compliance;
- or consequences designed to force behaviour.

In many abusive relationships, controlling behaviour creates dependency and restriction, while coercive behaviour reinforces compliance through fear or pressure.

Australian courts have also increasingly recognised “systems abuse” — namely the use of legal systems, institutions or processes as mechanisms of ongoing control.

Examples may include:

- repeated litigation;
- excessive subpoenas;
- tactical applications;
- complaints processes;
- and litigation conduct intended to destabilise or exhaust another party.

The recognition of systems abuse reflects increasing judicial awareness that coercive control may continue long after physical separation and as was the case in *Melounis* (no. 6) after final orders are made.

Social and Cultural Dimensions

Coercive control does not occur in a social vacuum.

Cultural, religious, financial and social dynamics may all affect how coercive control manifests.

Examples may include:

- immigration dependency;
- religious manipulation;
- threats concerning visa status;
- economic dependency;

- or community isolation.

Many victims become financially trapped.

That dependency may significantly affect their ability to leave relationships or participate effectively in litigation.

The legal system must also remain alert to vulnerable groups who may face additional barriers, including:

- First Nations communities;
- culturally and linguistically diverse communities;
- LGBTQIA+ relationships;
- people with disabilities; and
- economically disadvantaged litigants.

Pickford & Pickford

The Full Court decision in *Pickford & Pickford* [2024] FedCFamC1A 249 is particularly important because it explores both the breadth and the limits of coercive control within family law proceedings.

The Court acknowledged that the statutory definition of family violence is intentionally broad and protective. This takes into account any future changes within society such as advancements in technology for example 30 years ago we did not have to deal with threats of private intimate photographs being distributed on the internet, AI generated images or malicious google reviews.

However, the Court cautioned against conflating ordinary disagreement or robust litigation conduct with coercive control.

Importantly, the Court observed that:

one litigant does not commit family violence merely by refusing to consent to orders sought by another litigant.

This observation is critically important.

As awareness of coercive control increases, courts and practitioners must remain careful not to overextend the concept.

Not every disagreement constitutes coercive control.

Not every emotionally charged parenting dispute amounts to family violence.

The Court emphasised the importance of objective analysis grounded in evidence.

Therefore, findings of coercive control require careful forensic examination of:

- conduct;

- patterns;
- context;
- impact;
- and relational dynamics.

Importantly it was found that you do not need to establish that the perpetrator intended to coerce or control the victim parent⁴.

The decision therefore reinforced the need for nuanced and evidence-based analysis.

Melounis & Melounis (No 6)

A recent decision about coercive and controlling behaviour is *Melounis & Melounis* (No 6) [2025] FedCFamC1F 938.

In this matter Justice Altobelli undertook an extensive examination of the inter-parental relationship dynamic before concluding that coercive and controlling family violence had occurred.

Whilst His Honour did consider the incidents individually and assessed them independently, His Honour then examined the broader relational context and cumulative effect of conduct over time.

The decision reflects an important judicial recognition that behaviours which appear insignificant individually may collectively reveal a deeply coercive and controlling dynamic.

The Court recognised that coercive control rarely manifests through one dramatic act.

Rather, it emerges through sustained patterns of:

- domination;
- destabilisation;
- intimidation;
- emotional pressure;
- surveillance;
- manipulation;
- and psychological control.

Importantly, *Melounis* demonstrates that coercive and controlling behaviour often cannot be properly understood through fragmented analysis.

The behaviour must be understood holistically.

⁴ [52] *Pickford*

The case is also significant because it reflects an understanding that coercive and controlling behaviour does not always involve overt aggression.

Sometimes the most powerful forms of coercion are subtle.

- Repeated emotional destabilisation.
- Persistent surveillance.
- Manipulation involving children.
- Financial dependency.
- Fear of consequences.

These behaviours may collectively create an environment where autonomy is gradually eroded.

Importantly, the Court distinguished coercive control from ordinary parental conflict.

The Court also linked findings of coercive control directly to the best interests of the children. Ultimately orders were made providing *inter alia*:

- a. for a change of the live with arrangement from week about to the children living with the Mother and spending alternate weekends Friday to Sunday with the Father;
- b. The Mother was permitted to relocate with the children to Newcastle;
- c. The Mother was granted sole parental responsibility.

Impact on Children

Children do not need to be direct victims of physical assault to suffer significant harm.

Family law increasingly recognises that children exposed to coercive control may experience profound emotional and psychological harm.

Children exposed to coercive environments may experience:

- anxiety;
- fear;
- emotional dysregulation;
- hypervigilance;
- divided loyalties;
- and impaired attachment relationships.

Children may observe:

- intimidation;

- humiliation;
- emotional instability;
- surveillance;
- and fear-based dynamics.

Importantly, coercive control may undermine the victim parent's emotional functioning and parenting capacity.

This indirect impact upon children is increasingly recognised as highly relevant to best interest assessments under section 60CC of the Family Law Act.

The Amendments to the Act that came into effect in May 2024 focuses on promoting the safety of children and carers, whereas the former provisions focused on protection from harm. This can include the providing the safety to let parties and children heal and keeping them safe from the risk of further harm.

Therefore, when considering what is in the best interest of the children what types of behaviour the children have been exposed to or seen the fall out of is something practitioners and the Court needs to be mindful of.

Evidentiary Challenges

Despite increased legal recognition, coercive control remains difficult to prove. The onus of proving the behaviour lies with the party making the allegation and of course the standard of proof is on the balance of probabilities.

Unlike physical assault, coercive control often leaves no visible injuries.

There may be:

- no photographs;
- no medical evidence;
- no police attendance;
- and no independent witnesses.

The behaviour frequently occurs privately and incrementally.

Victims themselves may struggle to articulate the abuse because individual incidents often appear trivial when viewed in isolation or they may have been subjected to the behaviour for so long that has become their normal.

This creates significant forensic challenges.

Historically, affidavits in family law matters often focused upon isolated incidents.

Chronology and contextual analysis become critically important because coercive control rarely emerges through one isolated event and as already mentioned it emerges through patterns of behaviour.

Practitioners increasingly need to explain:

- how the relationship functioned;
- how autonomy was restricted;
- how dependency developed;
- and how coercive patterns affected parenting and emotional functioning.

This requires careful affidavit preparation and forensic discipline.

There is a risk both of minimisation and overstatement.

Not every difficult relationship constitutes coercive control.

At the same time, seemingly minor incidents may collectively reveal profound domination.

Increasingly, practitioners will need to rely upon:

- text messages;
- emails;
- financial records;
- behavioural chronology;
- witness evidence;
- and expert psychological reports.

Courts increasingly need to evaluate:

- relationship dynamics;
- behavioural patterns;
- emotional impact;
- credibility;
- and contextual interactions.

At the same time, courts must remain careful not to overextend the concept of coercive control.

Careful evidentiary analysis remains essential.

It is critical that the material before the Court enables the Bench to conclude that there has been a pattern of behaviour that amounts to coercive and/or controlling behaviour.

This involves including information about how the behaviour impacted the parent victim. For example:

- “experiencing constant feelings of fear, helplessness and distress”
- “the communication style of XX was combative and manipulative and communicating with them causes me a great deal of anxiety”

- Using parenting arrangements to manipulate a capitulation to what XX wants because the parent victim felt they had no choice.
- Constant threats of litigation and police involvement made the parent victim feel like they could not say no
- Interference with the victim parent seeking support and assistance for example by leaving unfavourable reviews of treating professionals.

There must be a pattern of behaviour which, when viewed holistically, paints a picture of one party seeking to control the other either through coercive behaviour or controlling behaviour or both.

In *Pickford* their Honours said at [48]:

When determining an allegation that a person has engaged in behaviour that coerces or controls a family member, a trial judge will undertake a forensic examination of all relevant evidence to:

- (a) identify the behaviour about which complaint is made;
- (b) identify the full context of the behaviour including any explanation that may be given by the alleged perpetrator;
- (c) identify the impact of the behaviour on the alleged victim (mere assertion by the alleged victim that they feel coerced or controlled is insufficient);
- (d) make all relevant factual findings; and
- (e) explain why the behaviour in question is or is not family violence that coerces or controls the family member and if the alleged behaviour does not entail a course or pattern of conduct, explain how the behaviour can nevertheless be characterised as behaviour that coerces or controls, if so found.

Criminalisation of Coercive Control

Alongside developments in family law, Australia is increasingly witnessing criminal law reform concerning coercive control⁵.

New South Wales led the way, with its standalone coercive control offence coming into effect on July 1, 2024. Under the Crimes Legislation Amendment (Coercive Control) Act 2022 (NSW) perpetrators face up to seven years in prison. The law specifically targets

⁵ *Don't know what Coercive control is? Here is everything you need to know* by Raffaella Ciccarelli (6 March 2026)

intimate partner relationships, acknowledging that 97 per cent of intimate partner homicides in the state were preceded by this pattern of control. Earlier this year the first person to be convicted under this legislation received a custodial sentence in New South Wales

Queensland followed with "Hannah's Law," through the Criminal Law (Coercive Control and Affirmative Consent) and Other Legislation Amendment Act 2024 (Qld) which officially commenced in mid-2025. Queensland's legislation is notable for having the strictest penalties in the country, with a maximum of 14 years' imprisonment. Unlike NSW, the Queensland laws cover a broader range of relationships, including family members and informal carers.

South Australia passed similar legislation in late 2025, with it expected to come into effect in 2027.

In November 2023, Western Australia unveiled a phased plan to criminalise coercive control, starting with changes to the Restraining Orders Act and specialised training for police and educators.

In Victoria coercive and controlling behaviours — such as intimidation, threats, financial abuse, or using technology to monitor someone — are criminalised under general family violence laws, even without a specific coercive control offence.

Similarly, in Tasmania, the ACT and Northern Territory many forms of coercive control are captured under existing family violence legislation, including financial abuse, emotional abuse, and controlling behaviour. While these jurisdictions do not yet have standalone coercive control offences, all state and territory attorneys-general have agreed to work towards criminalising this behaviour, signalling potential legal reforms in the future.

These reforms reflect growing recognition that coercive control is often a precursor to serious violence and domestic homicide.

However, criminalisation also raises significant challenges. Coercive control can be difficult to define precisely. It may be difficult to prove beyond reasonable doubt.

Conclusion

Ultimately, findings of coercive control remain matters for the Court.

Cases such as *Melounis & Melounis (No 6)* and *Pickford & Pickford* demonstrate that Australian courts increasingly recognise that abuse may occur not only through physical violence, but through sustained patterns of domination which erode autonomy, dignity and emotional safety.

The legal understanding of family violence is therefore broader, more contextual and more psychologically informed than ever before.

At the same time, coercive control presents significant evidentiary and forensic challenges.

The conduct is often subtle, cumulative and difficult to prove.

Accordingly, courts and practitioners must continue to approach these matters carefully, thoughtfully and with forensic precision. It is not sufficient that there is a line “The other party engages in coercive and controlling behaviour”.

Ultimately, the growing recognition of coercive and controlling behaviour reflects an important growth in the legal system’s understanding of power, relationships and harm.

It reflects increasing willingness by Australian courts and legislatures to confront the reality that some of the most damaging abuse may occur quietly, incrementally and psychologically through sustained systems of domination.

Ultimately, coercive and controlling behaviour cases require courts to undertake a careful and nuanced forensic assessment of relationship dynamics, contextual behaviour and cumulative impact. As practitioners, it is incumbent upon us to ensure that allegations are properly particularised, supported by evidence and distinguished from ordinary conflict. The jurisprudence emerging from decisions such as *Pickford* and *Melounis* demonstrates that Australian courts are increasingly prepared to identify patterns of domination and psychological harm where the evidence justifies it, whilst at the same time remaining cautious not to expand the concept beyond its proper legislative purpose.

Please note:

Since writing this paper Her Honour Judge Beckhouse delivered judgement in the matter *Vacek & Novosel (No. 5) [2026]* FedCFamC2F 261 where the issue of coercive control was a core matter for consideration. In particular Her Honour found the Father:

- a. used systems and agencies to either control, punish, threaten, harass and intimidate the Mother;
- b. where he monitored the Mother’s movements and communication; and
- c. where some of the Father’s conduct throughout the legal proceedings constituted a pattern of coercive and controlling behaviour.