

QUESTION ON NOTICE

Annabelle CLEELAND: Thank you, Elise. This is amazing, and you are so articulate and honest. I am going a little rogue from our questions – sorry Secretariat – but I am just kind of filling the gaps. Ella asked about laws and policy suggestions, and I am quite interested in your recommendation around defining criminalising psychological coercion and control. My question on that is how the reforms can be implemented without limiting freedom of religion or association. I know you said that you are not a lawyer, but your lived experience is really critical.

Elise HEERDE: Freedom of religion is vital. We need to make sure that that stays. Everyone has a right to believe what they want to believe. The issue is when there are behaviours that are causing harm to other people. I think being able to put a definition around that – in terms of the definition, I will probably take that on notice so that I can make sure that I get that right for you – it needs to be a definition that is taking into account what behaviours are causing harm and what patterns of behaviour we are seeing that are causing these different layers and levels of harm in survivors. I hope that kind of answers it.

Response

Freedom of religion and freedom of association must remain protected. The Group-Based Coercive Control framework proposed in *Beyond Belief (2025)* is designed precisely to do that by focusing on behaviours, not beliefs.

Under this approach, laws would not evaluate theology, ideology, or faith, but rather the patterns of conduct that cause demonstrable harm and restrict individual autonomy. It applies a behavioural test rather than a doctrinal one.

Specifically, *Beyond Belief* recommends a belief-neutral, behaviour-focused definition that measures coercion against four legal principles already embedded in Victoria's Charter of Human Rights and Responsibilities - lawfulness, reasonableness, necessity, and proportionality.

In practice, this means:

- Belief remains fully protected so long as it is freely chosen and exercised without coercion.
- Coercive behaviours become actionable when they systematically undermine autonomy, consent, or safety - for example: isolation, surveillance, deception, forced dependency, or threats of spiritual or social punishment for non-compliance.
- A Group-Based Coercion Matrix can operationalise this by assessing conduct across six domains – cognitive, emotional, behavioural, social, existential, and linguistic – to determine whether influence has crossed into domination.
- The Risk–Pattern–Harm Model then allows proportionate responses: early civil or regulatory intervention for low-level coercion, and criminal penalties where sustained, patterned coercion meets thresholds of harm.

This approach mirrors the trajectory already taken in family-violence reform, where coercive control has been criminalised not by policing emotion or belief but by recognising patterns of

entrapment and loss of autonomy. The same behavioural logic can be extended to group contexts without infringing religious liberty.

We can protect freedom of belief while legislating against freedom to abuse. The law need not – and must not – decide what anyone believes.

Annabelle CLEELAND: Your recommendation around extending mandatory reporting laws to all religious organisations – understanding your personal experience and how that convicted perpetrator has gone on to be surrounded by other people as well, I think, not the disclosure, is quite heartbreaking, to be honest. How do you see that happening in practice, and who has access to the information? Where is that information held? Give me more about that.

Elise HEERDE: I will take that on notice. I will give you an answer now, but I will flesh that out a bit more for you on notice. This is looking at my experience with religious organisations that are actually registered as a religious organisation. So I just want to note there are a lot of cults and groups out there that will have zero records of existing, like the Two by Twos, and so it is not going to work for every cult and every high-control group. However, where we do have these more mainstream religious groups that are registered, at the moment there is zero place to communicate between different denominations of these churches, which is why my perpetrator has been able to just jump straight over to Churches of Christ and get a job two months after his good behaviour bond finished, working as their safe church officer with just ridiculous access to vulnerable people again – because there is no communication between a lot of these organisations. That is where I would like to take what you can do about that on notice to actually have a think about what is going to be practical to do, because I understand that is a really big thing that I am suggesting that we do and it probably will not start with that one big thing. But I would like to have a think about the steps that could be taken, and I will send that to you.

Response

One of the most pressing gaps revealed through survivor testimony and research is the complete lack of coordination and oversight between institutions. While extending mandatory reporting obligations to all religious organisations is essential, it will not be effective on its own unless accompanied by an independent, properly empowered Independent Commissioner for Group-Based Harm.

Establishing a permanent statutory Office of an Independent Commissioner for Coercive Group Harm, reporting directly to Parliament and operating with full structural independence

- This body would have the authority to: Receive confidential reports, complaints, and third-party disclosures.
- Investigate and coordinate systemic responses across justice, health, education, housing, and human rights sectors.
- Develop standards and guidance for mandatory reporting within complex or closed environments.

- Publish transparent findings and refer matters to existing agencies when there is failure to act

This is critical because, as you've noted, perpetrators can move between denominations or organisations undetected. There is no central mechanism for information sharing between churches, faith-based charities, or unregistered cultic groups. We need a multi-agency information-sharing framework, modelled on Victoria's MARAM, FVIS, and CISS schemes, so that credible concerns can be triaged collectively rather than "handballed" between agencies

An independent Commissioner could hold these complex issues, engage directly with survivors and experts, and work through viable, rights-based solutions that balance freedom of religion with protection from harm. It would ensure consistency, accountability, and survivor-informed practice in both policy design and implementation. This is something that no single department or denomination can achieve alone.

This model moves us beyond reactive case management toward a coordinated safety net, where patterns of abuse are visible, survivors are heard, and no perpetrator can simply move on to the next institution unchecked.