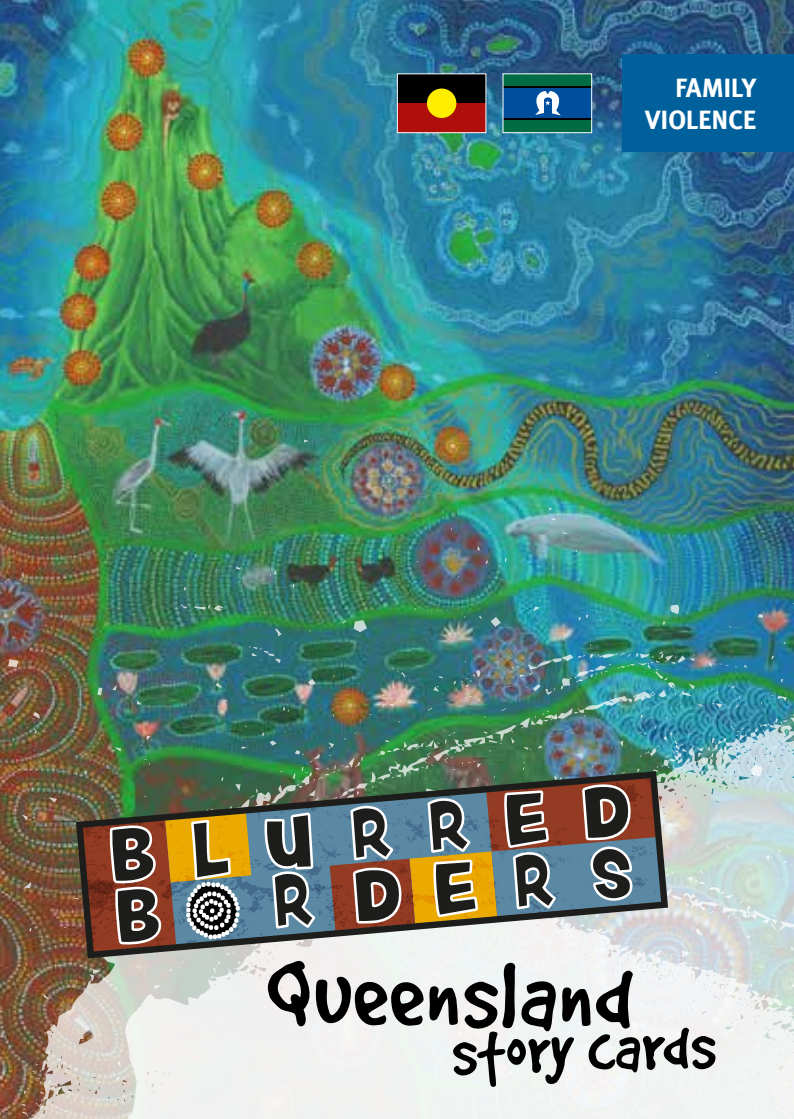




FAMILY
VIOLENCE



B L U R R E D
B O R D E R S

Queensland
story cards

Produced by



Partners



ATSILS

Aboriginal and
Torres Strait Islander
Legal Service (Qld) Ltd



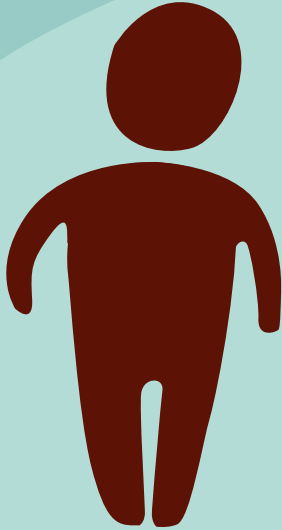
QIFVLS

Queensland Indigenous
Family Violence Legal Service



People





Applicant

Applicant

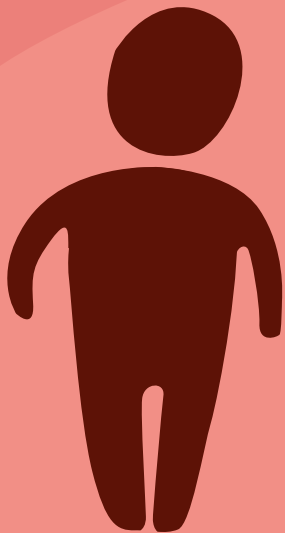
- A person who asks a magistrate to make or change a domestic violence order (DVO).
- Also known as the aggrieved.

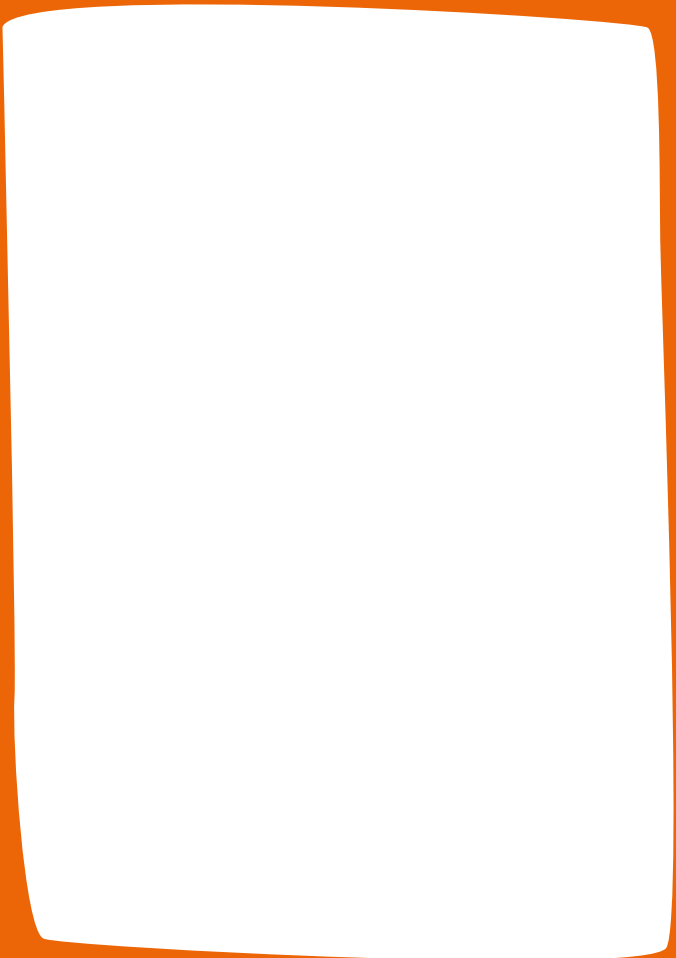
People





People





People





People



Respondent

Respondent

- A person who must follow the rules in the domestic violence order (DVO).



Partner

Partner

- You are involved with this person in a dating, sexual or romantic way.
- Maybe you call them boyfriend, girlfriend, husband or wife.

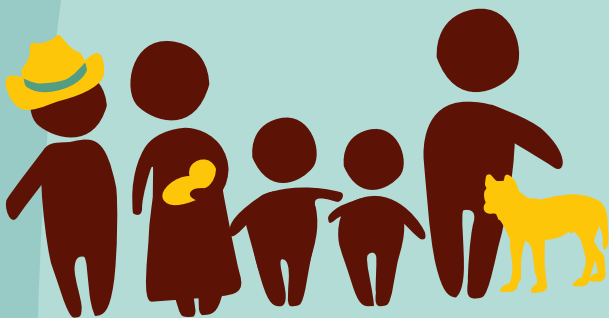


Ex-partner



Ex-partner

- You have stopped going out with this person, you have broken up.

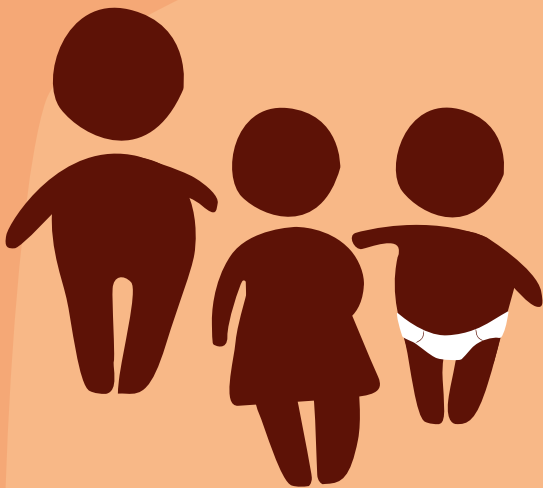


Family

Family

- Family is anyone you call family or a relation.
- Children and parents, grandparents, grandchildren, brothers, sisters, cousins, aunts and uncles.
- Step-family members, in-laws, foster parents and foster children.

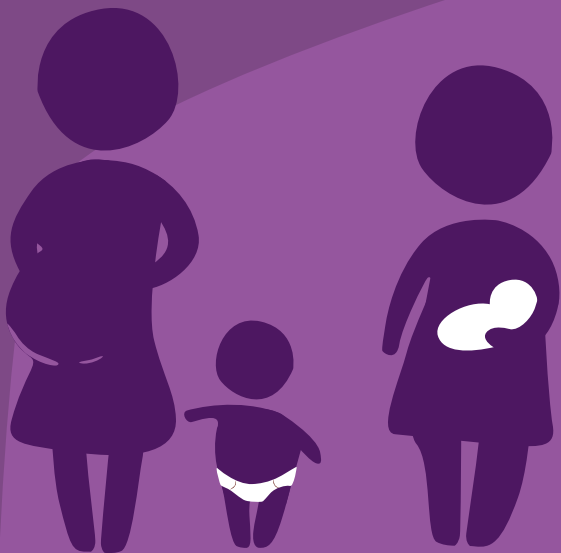
People



child

Child

- Anyone less than 18 years old.
- The law says that mums and dads must look after their kids and help them stay safe.
- Kids are not so strong, so violence can hurt them.



Pregnant
woman
and baby



Pregnant woman and baby

- We need to take care of pregnant women and help them to stay safe.
- They are not so strong. If their partner is violent or controlling, maybe it is hard to leave that partner.
- We worry that pregnant women and their unborn children might get hurt.
- Violence can hurt a baby.



Police

Police

- Protect people who are hurt and people who do not feel safe.
- Make sure people follow the law.
- When police think someone has broken the law, they charge that person.

People



Lawyer

Lawyer

- A person who helps you with legal problems and talks for you in court.



Lawyer

Lawyer

- A person who helps you with legal problems and talks for you in court.



Prosecutor

Prosecutor

- A lawyer or police officer.
- Helps to tell the police's and the aggrieved's story. Tries to show the magistrate why a domestic violence order (DVO) needs to be made.



Magistrate

Magistrate

- A person who has power to decide legal problems in court.
- In court, tells other people what to do and when to talk.
- A magistrate is sometimes called a judge.



Interpreter

Interpreter

- A person who helps people talk to each other when those people speak different languages.
- Must not take sides.
- Must translate what people say and keep the message the same.
- Will keep your story secret and will not tell your story to anyone else.
- If the interpreter knows you or your family, you can ask for a different interpreter.



Witness

Witness

- This person saw or heard something. They know part of the story about your legal problem.
- Their story will help the judge/jury to decide if you broke the law or not.
- Might write down or record his/her story and a lawyer will give it to the judge.
- The prosecutor might ask a witness to tell his/her story in court.
- You or your lawyer might ask a witness to tell his/her story in court.

People



Support
person

Support person

- Family member, friend, carer or another person you trust.
- This might be a person who works for a health or community service that helps people.
- Might sit with you when:
 - the police ask you questions about breaking the law
 - you talk to other people about your family relationships.
- Might also go with you to court.



counsellor/
social worker

counsellor/ social worker

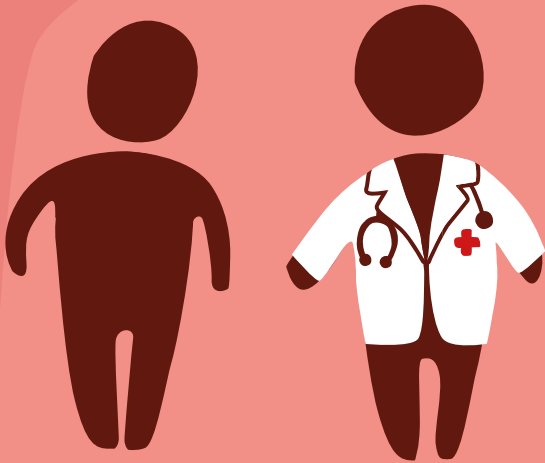
- A person who helps you talk about your worries.
- Might help you to make your worries better.
- Helps you decide what to do.
- Might ask you lots of questions.
- Everything you talk about with the counsellor or social worker is private.
- Sometimes the law says other people can know what you said.



Psychologist

Psychologist

- A worker who:
 - helps you to understand feelings, like when you are very sad or angry
 - asks you questions about your worries
 - helps you become strong in your thinking.
- Might write a report for the court or Child Safety.
- Normally, everything you say with the psychologist is secret. The only time the psychologist will share your story is when they write a report for the court or Child Safety.



Psychiatrist

Psychiatrist

- A doctor who can:
 - help with mental illness
 - talk with you about your feelings
 - give you medicine so you can feel better in your head.
- Might write a report for the court.
- Normally, everything you say with the psychiatrist is secret. The only time the psychiatrist will share your story is when they write a report for the court.



Child Safety

Child Safety

- The government department that makes sure your kids are safe.
- The law says that people must make sure their kids are safe.
- If Child Safety thinks your kids are not safe, they have the power to take your kids away.

People



Family violence definitions





Physical
violence

Physical violence

- Things like:
 - choking
 - hitting
 - kicking
 - biting
 - throwing something at another person
 - hurting someone with a weapon.



Choking



Choking (strangulation)

- This means pressing on someone's neck and stopping their breathing.
- If you choke someone they might be badly hurt. Maybe they will die.
- The law says you must not do this. It is a very serious kind of violence.



Emotional
abuse

Emotional abuse

- When you say and do things that make someone feel shame, no good, upset or scared.
- This includes when you:
 - blame someone unfairly
 - call someone bad names or tell someone they are no good
 - know something makes another person feel scared or worried, and you do that thing
 - play mind games.



financial abuse

Financial abuse

- When you take someone's money or stop someone using his/her money.
- When you are a nuisance or make someone feel scared so that they give you money.
- When you spend a lot of your family's money and then someone else does not have money to look after the family and pay for things like food, house and power.



Power and control

Power and control

- When you try to be the boss of another person and you make them feel no good.
- You might:
 - stand over another person and tell them how to do things, like cooking and what to wear
 - try to control how another person uses his/her money
 - try to decide things for another person.



Stalking



Stalking

- When you watch someone, follow them, or phone them too much, and that person feels worried or scared.
- This includes when you:
 - watch who they are talking to on social media
 - send them text messages, letters or packages
 - follow them around in a car
 - hang around the person's home or work.



Hurt pets
or animals



Hurt pets or animals

- When you hurt someone's pets or animals to make that person feel scared or upset.



Isolation



Isolation

- When you do not see or hear from family, friends or support people who help you stay strong.
- When you live in a regional or remote place where there are not many services like doctors, shops or schools.
- You can be isolated when your partner:
 - disrespects you in front of your family or friends and makes you feel shame
 - keeps you away from family and friends
 - stops you from leaving the house or going to other places without them.

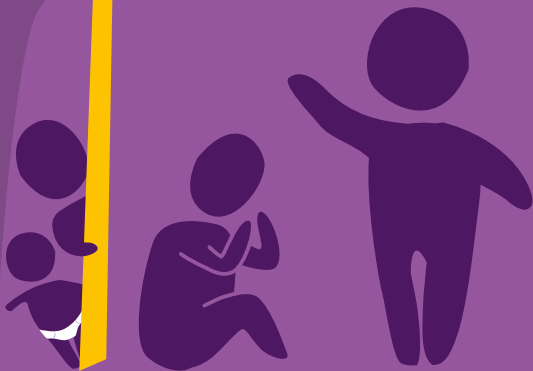


Sexual violence



Sexual violence

- When you do something sexual that someone does not want, and you make them feel shame, upset or scared.
- It can be:
 - physical
 - using words
 - sending sexy photos/videos online
 - making someone watch sexual things.
- It can happen between:
 - two adults
 - adults and kids
 - partners
 - other family members.



See or hear
violence

See or hear violence

- When someone sees or hears other people being violent, that person might feel scared and worried for a long time.
- When children hear or see violence at home or in family, the law says they are not safe.
- Kids watching family violence can learn violent ways.

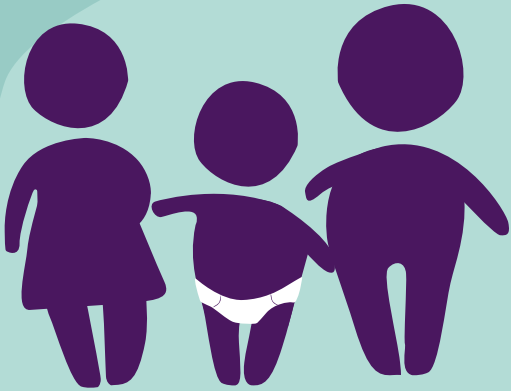


Threats and intimidation



Threats and intimidation

- When you say and do things to make another person feel scared or worried.
- They think you are going to hurt them.
- When you threaten someone, including when you threaten to kill or hurt someone with a gun or other weapon.
- When you force someone to do something bad, something they do not want to do.



Best interests
of the child

Best interests of the child

- When a judge decides where your kids will live or makes rules about your kids, the judge must think about what is best for your kids.
- The law says that what is best for your kids is more important than what is best for you or what is best for Child Safety.
- This law is called 'making a decision in the best interests of the child'.



Parental responsibility

Parental responsibility

- The person who will decide big things for your kids, like where the kids will go to school and when they need to go to hospital.
- A judge has power to say who will decide these things.
- A parent or another person might go to court and ask the judge to decide this.



Places





Magistrates court

Magistrates court

- In this court, a magistrate decides about legal problems.
- The law gives a magistrate power to decide about things like:
 - domestic violence orders
 - whether a person has broken the law
 - punishment for a person that broke the law
 - child protection orders.



Family Law court

Family Law court

- In this court, a judge decides about family problems.
- When people cannot agree about looking after the kids, they might go to this court.
- The judge has the power to decide:
 - where your kids will live
 - who will look after your kids
 - when your kids will stay with another person.



Things
that might
happen



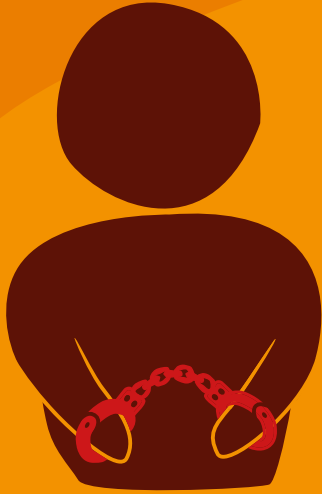


Charge

Charge

- If the police think you broke the law they will charge you.
- You must go to court.
- At court the judge will decide if you broke the law or not, and decide what happens to you. But they might not decide that the first time you go to court.

Things that might happen



Arrest

Arrest

- If the police think you broke the law, they can arrest you.
- This means they stop you and take you to the police station.
- You must go with them and stay at the police station.
- When the police or a judge say you can leave, then you can go home.

Things that might happen



Breach DVo conditions

Breach DVO Conditions

- When the respondent does not follow the rules of the domestic violence order (DVO), it is called a breach.
- If the police find out about the breach, they might charge the respondent.
- The protected person does not breach the DVO. The DVO is only for the respondent to follow.
- It does not matter if the protected person and the respondent agree to break the rules. It is still a breach and the respondent might get charged.
- If you cannot follow your DVO conditions, talk to your lawyer about changing (varying) the DVO.
- If you are not sure about your DVO conditions, talk to your lawyer.

Things that might happen



Things
you can do





Evidence

Evidence

- When you tell your story in court — called ‘giving evidence’.
- When you have evidence like a text or social media message or a photo, keep that evidence safe, do not delete it.
- Later the magistrate can see that evidence in court.
- Evidence helps the magistrate decide what is true.
- You can give evidence by:
 - talking in court
 - writing it down
 - recording it
 - video link.

Things you can do



Affidavit

Affidavit

- A law paper where someone writes their story. They sign their name to promise that the story is true.
- The magistrate will use that story to decide about something in court.
- The law says you must only write the true story in an affidavit.
- A lawyer can help you write your affidavit.

Things you can do



Can you talk
about the kids?

Can you talk about the kids?

- You have kids and you have a domestic violence order (DVO) with the other parent. The rules might say that you can talk to each other to make plans for your kids.
- The rule might say you can talk about those plans:
 - to another person
 - with a mediator
 - with a lawyer.
- The rule might say you can talk about those plans using text messages.
- Ask a lawyer if the DVO says you can talk about the kids.
- Only talk about what your kids need.
- Do not talk about your other problems.
- Be respectful.

Things you can do

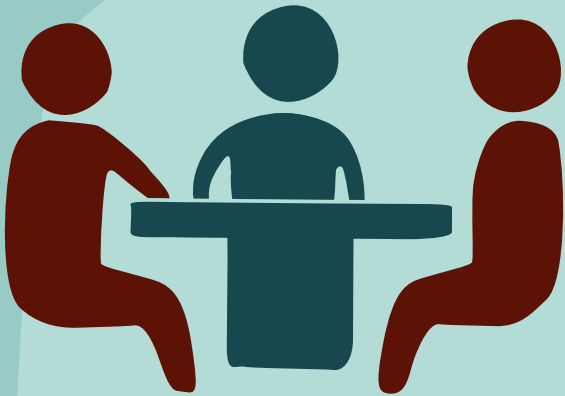


Behaviour change program

Behaviour Change program

- The magistrate might send you to a behaviour change program.
- You might choose to go to the program yourself.
- In this program, a support worker helps you to change your behaviour. Maybe you will try to stop being violent or stop controlling your partner, ex-partner or family.

Things you can do



Mediation

Mediation

- A person called a mediator helps two people talk together about a problem with his/her kids or his/her belongings.
- Maybe the two people are angry or upset at each other.
- The mediator will help people talk in a good, safe way to decide together about the problem.
- Mediation cannot sort out a domestic violence problem as one person might be too scared to speak the truth.

Things you can do



Conditions and orders



POLICE PROTECTION
NOTICE



Police protection notice

Police protection notice

- When there is lots of arguing and violence in a house or family, the police might come and give a police protection notice.
- This is a paper with rules that tell someone to stay away from other people for an amount of time.
- If you break the rules, you will make more trouble for yourself.

Conditions and orders



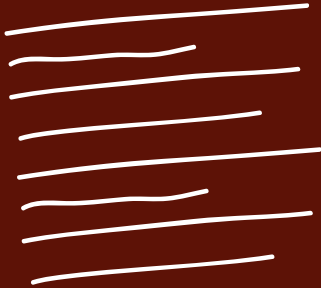
Domestic
violence order
(DVo)

Domestic violence order (DVo)

- A domestic violence order (DVO) is a law paper. It tells someone not to hurt, threaten, control or scare another person they are in a relationship with.
- The order tells someone to follow rules like:
 - stay away from another person, their home or their work
 - find another place to live
 - do not let kids see and hear violence.

Conditions and orders

DVo



Interim or
final order

Interim or final order

- There are two kinds of domestic violence orders (DVOs).
- An interim (temporary) order:
 - has power for a short time
 - has power until the magistrate makes new rules
 - means the magistrate has not finished deciding about that problem.
- A final order:
 - has power for a long time until the date written on the paper
 - means the magistrate has finished deciding about that order.



DVo
exceptions

DVO exceptions

- Your DVO says you must not do something. Sometimes, the DVO allows you to do that thing only one way. When a DVO allows something it is called an exception.
- Read the rules on your DVO carefully.
- Maybe you must not talk by phone but you can talk by SMS or email.
- Maybe you can see each other to spend time with your kids.
- Maybe you have to leave the home if you are drinking.
- Talk to a lawyer or support worker to find out if you have any exceptions. Ask them what you are allowed to do.



National orders

National orders

- When a magistrate makes a domestic violence order (DVO) in one state/territory, you have to follow the rules in a DVO wherever you go in Australia.
- It does not matter where the order is from — there is no state boundary for those orders.

UNDERTAKING

SIGN *Jane Member*
SIGN *John Cuzon*

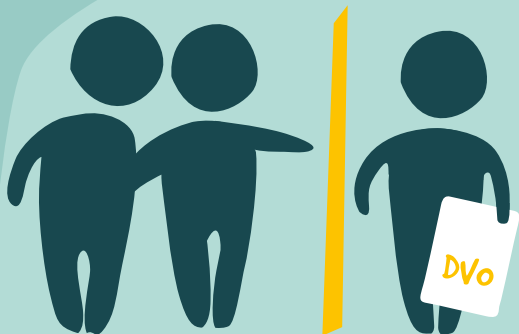


Undertaking

Underfaking (promise)

- When two people agree about some things and write it down on paper.
- They might agree:
 - to stay away from each other
 - to not to hurt each other
 - about other things like seeing the kids.
- The magistrate might keep a copy of the paper and remember what the two people promised.
- This is not a domestic violence order (DVO). Police cannot charge someone who breaks the promise.

Conditions and orders



Do not ask
people to
break rules

Do not ask people to break rules

- Do not ask someone else to help you break the rules in the domestic violence order (DVO).
- When the rule tells you to stay away from some people or places, do not ask someone else to talk to those people or go to those places for you.
- You will make trouble for that person, and trouble for yourself.



No family
violence

No Family Violence

- Do not make trouble with your partner, family or carer.
- You must not:
 - hurt them
 - yell or swear at them
 - make them feel scared of you
 - threaten them, in person or on socials
 - damage property.
- It is not good for kids to see or hear family violence.
- This might stop them growing up healthy and strong.
- Family violence is also called domestic violence.

Conditions and orders



Stay away
from some
people

Stay away from some people

- The magistrate or police tells you to stay away from some people.
- The domestic violence order (DVO) paper tells you the names of the people you must stay away from.
- You must not:
 - see them, phone them or text them
 - talk to them on social media
 - go to their house or work
 - get anyone else to do these things for you.

Conditions and orders



Stay away
from some
places

Stay away from some places

- The magistrate or police says you must stay away from some places.
- The domestic violence order (DVO) paper tells you which places to stay away from.
- Might be houses, schools, workplaces or other buildings.
- If you do not follow this rule, you will make more trouble for yourself.



No trouble
online

No trouble online

- You must not use a computer or phone to show or send pictures, stories or messages that make someone else feel shamed, scared or upset.
- You must not post these things on social media or comment on someone else's social media post.



Do not
damage
property

Do not damage property

- You must not break or destroy other people's things.
- You cannot:
 - smash their mobile phone
 - make a hole in a wall or door at their house
 - smash windows in cars and houses
 - burn clothes, mattresses and toys.



No guns

No guns

- You must not touch or use guns (firearms).
- The police will cancel your gun licence and take your gun away.
- You must not:
 - hold or shoot a gun
 - keep guns at your house
 - drive a car with guns in it.
- Talk to a lawyer about when you can get your gun licence again.



No sexy
photos

No sexy photos

- Sexy photos are photos of people when they are naked or doing sexy things.
- You must not:
 - take sexy photos of anyone under 18
 - send messages or post sexy photos or videos online or on social media
 - put sexy photos or videos where other people can see them.

