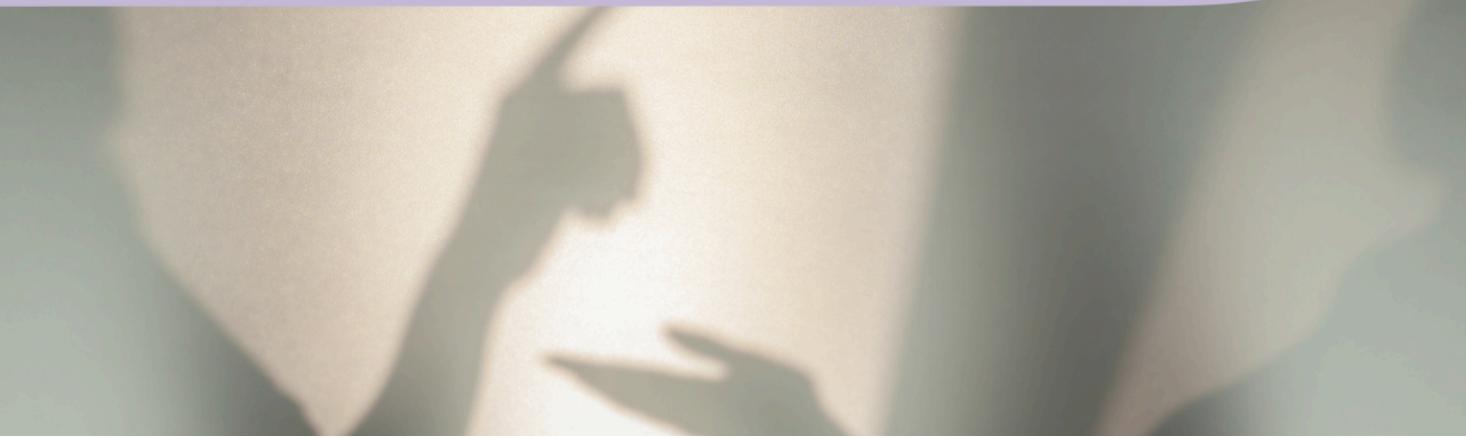




# Domestic Violence



## What is domestic violence?

Domestic violence is when someone close to you hurts you. This person could be:

- your partner
- a family member
- an unpaid carer, who is also a family member or friend.

Domestic violence can happen to anyone. It is not a normal part of a healthy relationship.

## Types of domestic violence

### Physical abuse

Physical abuse is when someone hurts you. For example, they might:

- hit or push you
- twist your arm.

### Sexual abuse

Sexual abuse is when someone forces or pressures you to take part in a sexual activity.

### Emotional and psychological abuse

Emotional and psychological abuse is when someone makes you feel bad about yourself or afraid. For example, they might:

- keep contacting you when you've told them not to
- threaten to stop giving you things you need
- stop you from making friends or contacting other people
- use verbal abuse. Verbal abuse is when someone uses their words to hurt you. For example, they might call you a name or swear at you.

## Economic and financial abuse

Economic and financial abuse is when someone controls how you get, use or keep money or economic resources.

For example, they might:

- make you give up control of your assets or income
- pressure you to sign legal documents
- stop you from accessing your property
- interfere with your opportunities to find work or keep a job.

## Coercive control

Coercive control is when someone uses a pattern of behaviour over a period of time to try and control your life. This behaviour is abusive and threatening. Coercive control can include one type of behaviour or many different behaviours. People who use coercive control might use a type of abuse as their pattern of behaviour. For example, economic and financial abuse.

You can find more information on our [factsheet about coercive control](#).

## Examples of domestic violence

Someone might threaten to:

- hurt you, themselves, another person or an animal
- damage your property.

Someone might stop you from being independent. Or they might threaten to do this.

Someone might stalk you.

For example, they might:

- follow you on foot or in a car
- read your private text messages or emails
- use a GPS device to track your location.

Someone might pressure you to do, or not do, something or act in a certain way.

They might ask another person to do any of these things on their behalf.

## What can you do if you are experiencing domestic violence?

If you are experiencing domestic violence, it is important that you get help. You should get help even if you are not sure if you are experiencing domestic violence.

**If you are in immediate danger, call 000.**

### Find a support service

There are services that can support you if you are experiencing domestic violence.

These services can:

- talk to you about what is happening
- help you make a plan to keep safe
- connect you with other helpful services.



## Local support services

### DVConnect

You can contact DVConnect for support. **Call 1800 811 811**

### 1800 RESPECT

You can contact 1800 RESPECT for support. **Call 1800 737 732**

### Legal support

You can contact us to request free legal advice. This includes advice about what legal protections you can get if you are experiencing domestic violence.

You can **call 1800 957 957**

There are also other places to get legal advice, including:

- private lawyers
- other community legal centres
- Legal Aid Queensland.

### Police link

If you are not in immediate danger, you can contact police link.

**Call 131 444.**

You can also go to your local station and talk to someone in person.

## What is a DVO?

A DVO is a legal order that a Magistrates Court can make. A DVO is sometimes called a protection order. It tells the person you want protection from that they are not allowed to do certain things or behave in certain ways.

The person you want protection from is 'the respondent'. The person who wants protection is 'the aggrieved'.

A DVO requires the respondent 'to be of good behaviour and not to commit domestic violence'. It can also have other conditions.

For example, a DVO can prevent the respondent from:

- contacting or approaching you – for example, visiting places where you live, work or spend a lot of time
- finding you
- using the internet to communicate with you, share pictures of you or make harmful comments about you
- being on your property in certain situations.

A DVO can also do these things to protect your child or another person you want to protect. And it can prevent someone from visiting your child's school or day care.

If the respondent doesn't follow the conditions in a DVO, the police can charge them with a criminal offence and the court can punish them.

A respondent is banned from having or applying for a weapons license.

A DVO usually lasts for 5 years.

## Who can apply for a DVO?

You can apply for a DVO if the person who abused you is:

- your partner – for example, someone you are married to or in a relationship with
- your ex-partner
- a family member
- an unpaid carer, who is also a family member or friend.

## How can you apply for a DVO?

You can apply for a DVO at any local Magistrates Court. It is free to apply.

You can fill out a form online, or in writing.

You can find more information and forms on the [Qld courts website](#).

The court will want to know what you have been experiencing. You might have to explain:

- details about the abuse – for example, ‘my partner hit me with his fist after dinner’
- how the abuse made you feel – for example, ‘I was frightened that my partner would injure me’
- when the abuse happened – it’s okay if you can’t remember exact dates.

## Can you get protection urgently?

After you fill out the application form and give it to the Magistrates Court, they will give you a court date. The court will also organise for the police to give the respondent a copy of the application. You don’t have to organise this. Be aware that the respondent will read your application.

When you apply, you should ask the court to make a temporary protection order (TPO). A TPO can give you protection as soon as possible and until the matter goes through the whole court process.

The court can make TPOs urgently. Sometimes they can do this before the respondent has a copy of the application. It is important to tell the court registry if you have any concerns for your immediate safety. You should also share if you have any concerns about your safety once the respondent has a copy of the application. And you should include these concerns in your application form.

This can help the court decide how urgent it is to consider your TPO and what conditions you need in your TPO.

## What can the respondent do?

There are several ways the respondent might react after they receive a copy of the application.

### Ignore the application

The respondent can ignore the application and not attend court. If they do this the court can make a TPO or final DVO against them. The court can only do this if your application meets all other legal criteria.

## Agree to the DVO

The respondent can attend court and agree to the DVO. This is called consenting. The respondent will usually consent 'without admissions'. This means they won't admit to the domestic violence.

## Ask for more time

The respondent can attend court and ask for more time. This is called an adjournment. If the court decides to adjourn the matter, they will give you a later court date.

## Fight the DVO

The respondent can attend court and ask to fight the application. This is called contesting. The court does not need to remove the TPO if the respondent does this. But they might remove the TPO for other reasons.

If the respondent contests the DVO, the court will arrange a trial. This means you will have to write down all your evidence about why you think the court should make the DVO. If the police make the application for you, they will need to do this. The respondent will have to write down all their evidence about why they think the court shouldn't make the DVO. You must both do this by a certain date.

After this, the court will give both of you a trial date. During the trial, the court will usually ask both of you questions about your evidence. This is called cross-examination.

You will need to attend each court date to pursue the application. If the police made the application for you, they must attend each court date. If you stop attending your court dates, the court can make the decision without you.

## Apply for a DVO

If the respondent also files their own application for a protection order against you, this is called cross-application. If this happens you should get legal advice.

## Can a TPO or DVO protect your children?

Your TPO or DVO can protect your children if they have experienced or been exposed to domestic violence. When you fill out the form for a DVO, there is a section where you can add the child's details and ask for certain conditions.

## How will a TPO or DVO affect arrangements for your children?

A TPO or DVO doesn't always stop the respondent from seeing your child. You can ask the court to make changes to your TPO or DVO, so that it supports your agreed parenting arrangements.

TPOs and DVOs are not the same as family law orders and they have a different purpose. You should get legal advice about which parenting orders are appropriate.

## Can you cancel or make changes to a DVO?

Yes. You can apply for a DVO to be removed if it is safe to do so. You can also apply for the court to make changes to your DVO. If the court agrees to these changes, your DVO will be varied. You can ask the court to increase or decrease the conditions or the time period of your DVO, where appropriate. You should seek legal advice about what information the court will consider before applying for any changes.

**This factsheet includes general information only and is not a substitute for legal advice.**