

Family Relationships & the Law

Domestic and family violence



Parenting



Child protection



Property



Divorce



Where to get help



FREE help and confidential support about DFV, open all day, every day. Provides information about Aboriginal and Torres Strait Islander support services in your area:

DV Connect

1800 811 811



1800 RESPECT

1800 737 732



A lawyer can give you legal information and advice so that you can make an informed decision about your legal options. It is confidential. FREE legal advice about domestic and family violence, parenting, divorce, property and child protection:

Qld Indigenous Family Violence Legal Service

1800 887 700

Legal Aid Indigenous Hotline

1300 650 143

Aboriginal and Torres Strait Islander Legal Service (Qld)

1800 012 255

North Qld Women's Legal Service

1800 244 504

First Nations Women's Legal Service Qld

1800 082 600

Women's Legal Service Qld

1800 957 957

It is important to understand your legal rights in relation to domestic and family violence and family law, and where you can go to get more information and legal advice. The services listed above may be able to help you.

WLSQ acknowledges the Traditional Custodians of the lands on which we live and work. We recognise Aboriginal and Torres Strait Islander people's continuing connection to this Country, its waters, and culture. We pay our respects to Elders, past and present and we especially honour First Nations women and the traditions they carry.

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Disclaimer: This publication is intended to give general information only. Seek legal advice regarding your circumstances. While every effort has been made to ensure accuracy, the law is constantly changing.

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Domestic and family violence



What is domestic and family violence (DFV)?

- Physical violence (slapping, punching, kicking, biting);
- Behaviour that makes you feel scared, hurts or shames you;
- Swearing;
- Name-calling and put-downs;
- Making threats;
- Forcing you to have sex;
- Harassing you by constantly contacting you;
- Tracking your location without your consent;
- Controlling your money;
- Coercive control, being a pattern of behaviour that aims to dominate or control a person.

DFV can involve:

- Husbands and wives;
- Partners;
- Boyfriends and girlfriends;
- Family members such as adult children, parents, aunts or uncles.

DFV is not okay, and the law can help to protect you. A domestic violence protection order (DVO) can help to protect you and your children from future acts of domestic violence. It is a court order to stop the person from hurting or scaring you and your children. To get a DVO you can seek help from the police, or you can make a private application at your local magistrates court.

Divorce



What is a divorce?

A divorce is the process to legally end your marriage.

- You must be separated for more than 12 months before you can apply for a divorce.
- It does not make decisions about your children or property matters.

Legal Advice: Following a separation, it is important to get legal advice. You should get legal advice before agreeing or signing any documents.

Property



How do I organise my property after separation?

Property settlement is a process where the court can change the ownership of assets and debts after separation. This can be done by agreement or you can ask the court to decide. It includes land, houses, units, superannuation, cars, and money.

It is not automatic that everything is split 50/50.

You have 12 months from the date of your divorce or 2 years from the end of your de facto relationship to apply to the court for a property settlement

Parenting



How do I make arrangements for my children after separation?

Family law deals with what happens to the care of children following a separation.

Doing what is in the best interests of children is what is most important, and you should only agree to what is safe and in the best interests of the children if you separate.

The law also recognises the importance of children maintaining a connection with their culture.

Child protection



What do I do if child safety is involved with my family?

Child safety is the state government body that looks after child protection in Queensland.

The aim of child safety is to keep kids safe from neglect and abuse.

The Aboriginal and Torres Strait Islander Family Wellbeing Services in your local area can provide you with confidential and personalised support.