

Important Information to know

This fact sheet provides basic legal information about:

Domestic and family violence



Parenting arrangements after separation



Divorce



Property settlement after separation



Read this fact sheet if you, or someone you know, are experiencing any of these issues. In an emergency, call 000. Emergency services can arrange a female interpreter on the call.

Domestic and family violence



Domestic and family violence (DFV) is behaviour that makes you feel scared or hurts you. It is not just physical violence.

DFV can be if someone:

- Hurts you or threatens to hurt you
- Threatens to cancel your visa
- Threatens to take your children
- Continuously contacts you
- Tracks your location without your consent
- Makes you feel like you are 'walking on eggshells'

DFV is not okay.

A domestic violence protection order (DVO) can help protect you, and your children, from future acts of DFV.

A DVO is a legal direction to stop the person from hurting or scaring you and your children. The person doing the behaviours will not get in criminal trouble unless they breach the order. You can apply for a DVO online or the police can apply for you.

Divorce



In Australia, a divorce is the legal ending of your marriage. It does not make decisions about your children or property matters.

You and your ex-partner must be separated for more than 12 months before you can apply for a divorce. You do not have to wait 12 months to make arrangements for children and property, this can be done any time after separation.

However, once your divorce is final you **must** file a property settlement or spousal maintenance application within 12 months.

For free help and confidential advice about DFV call:

1800 RESPECT (1800 737 732)

DVCONNECT (1800 811 811)

Open all day, every day.
You can ask for an interpreter.

Parenting arrangements after separation



In Australia, parents do not have rights to children. Instead, they have responsibilities to make decisions for the children.

If you separate from the other parent, you should only agree to what is safe and in the best interests of the children. It is not an automatic 50/50 arrangement for children.

It is important to get legal advice about your options before you make any arrangements or sign any documents.



Property settlement after separation



The court can change who owns assets and debts in Australia and overseas.

“Property” includes land, houses, units, superannuation, cars, jewellery, money and some debts.

When you separate, property is not automatically split 50/50.

It is important to get legal advice about your options and entitlements before you make any arrangements or sign any documents.



Where to get legal support



A lawyer can give you legal information and advice to help you understand your legal options and make an informed decision. Talking to a lawyer is confidential.

Legal services can arrange an interpreter for you when you call them, or you can call the Translating and Interpreting Service on **131 450**.



For free legal advice about domestic and family violence, parenting, divorce and/or property:

- Women’s Legal Service Queensland on **1800 957 957**
- Legal Aid Queensland on **1300 65 11 88**

For free legal advice about migration:

- Refugee and Immigration Legal Service on **(07) 3846 9300**

Disclaimer: This factsheet contains general information only. It is not legal advice. Last updated April 2024.

