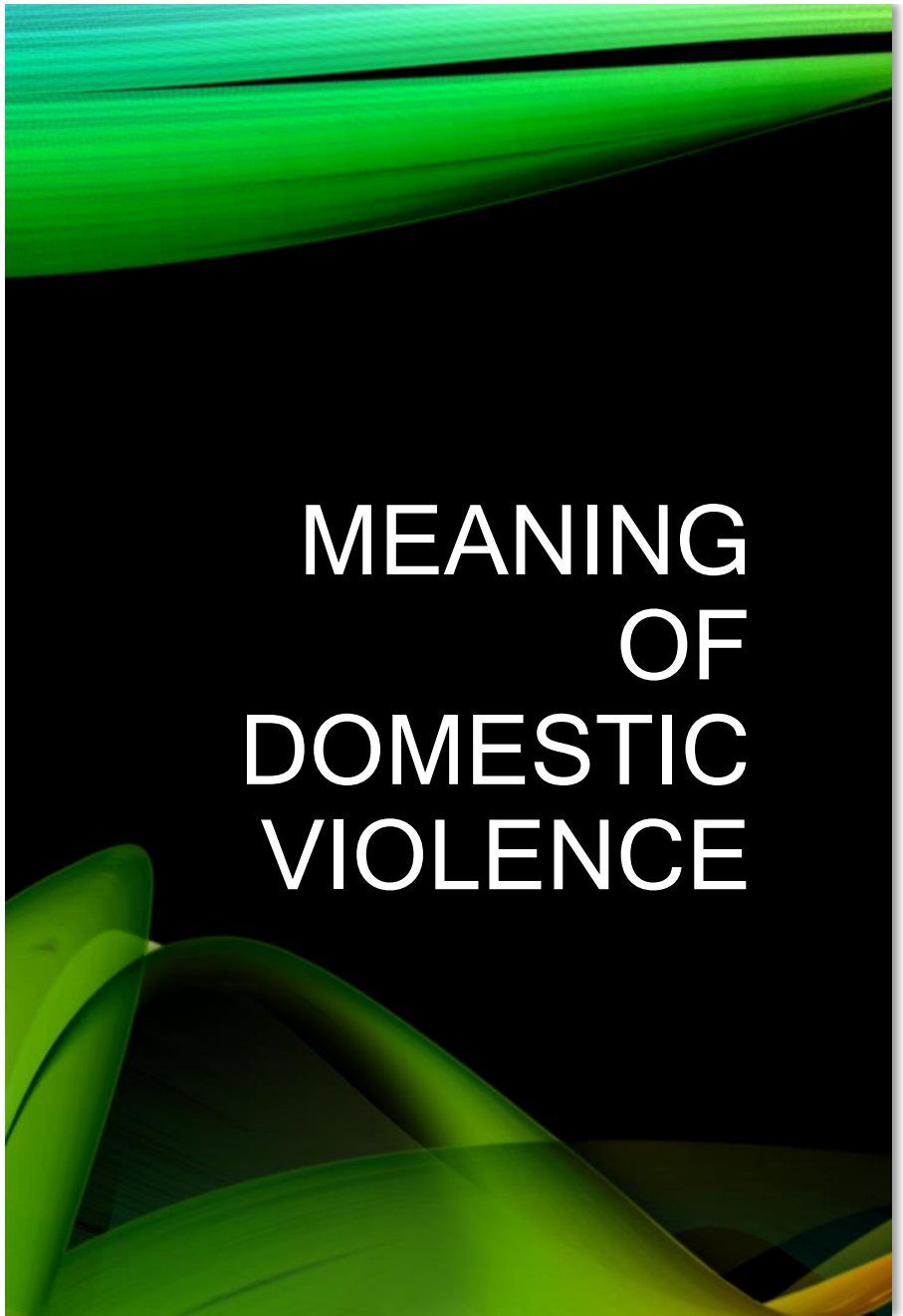
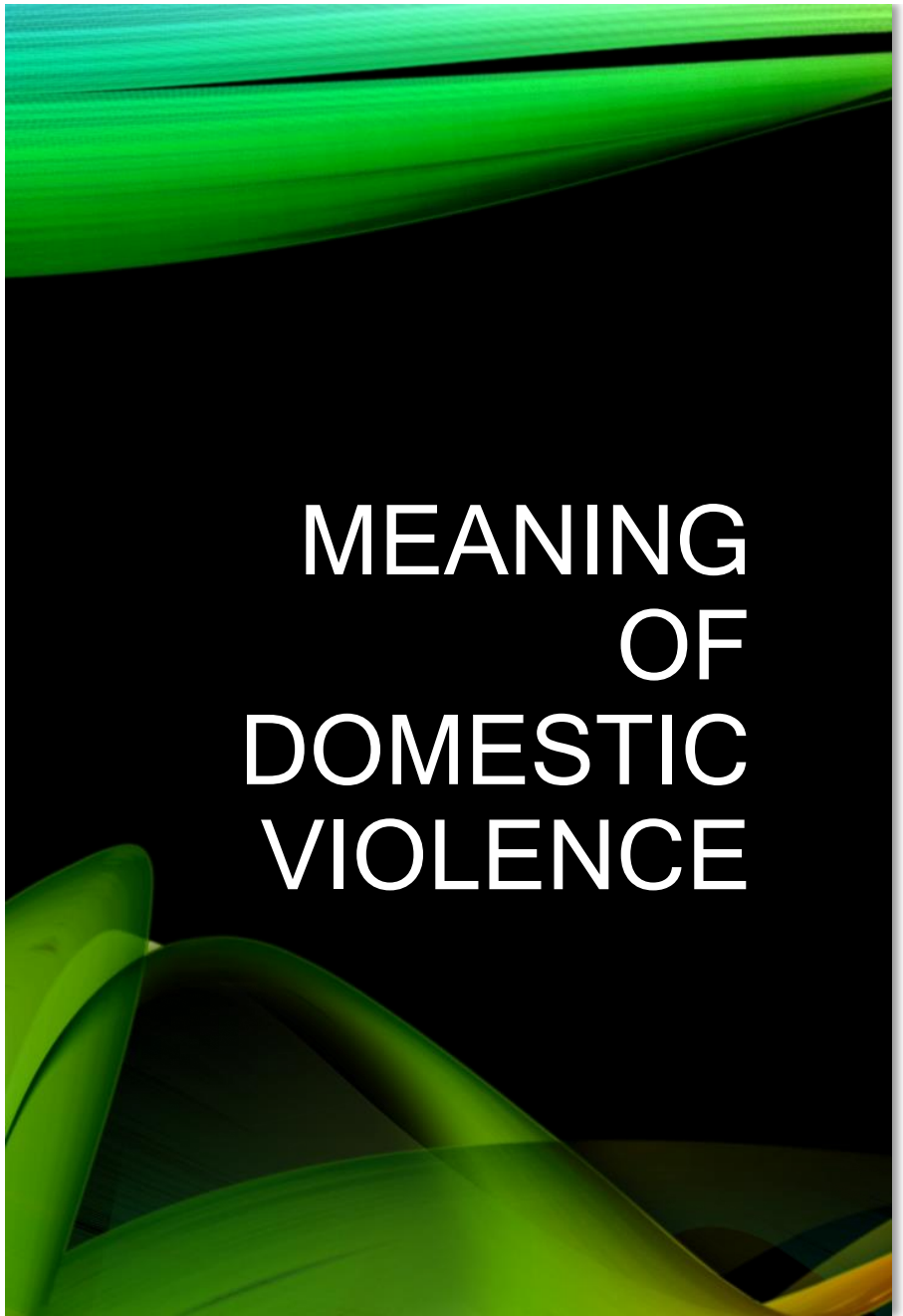
DOMESTIC AND FAMILY VIOLENCE

LEARNING OUTCOMES

- Definition of domestic and family violence
- Legislation
- Signs
- Contributing factors
- Documentation
- The role of Police Liaison Officers



Includes the following behaviour–	causing personal injury to a person or threatening to do so
	coercing a person to engage in sexual activity or attempting to do so
	damaging a person's property or threatening to do so
	depriving a person of the person's liberty or threatening to do so
	threatening a person with death or injury, and that of a child or someone else…



Includes the following behaviour–

- threatening to commit suicide or self-harm to torment, intimidate or frighten the person to whom the behaviour is directed
- causing or threatening to cause the death of, or injury to, an animal, whether the animal belongs to the person to whom the behaviour is directed, to control, dominate or
- unauthorised surveillance of a person
- unlawfully stalking a person…

Domestic and Family Violence Protection Act 2012 (Qld)

WHY DO WE HAVE DV LEGISLATION?

to maximise the safety, protection and wellbeing of people who fear or experience domestic violence, and to minimise disruption to their lives;

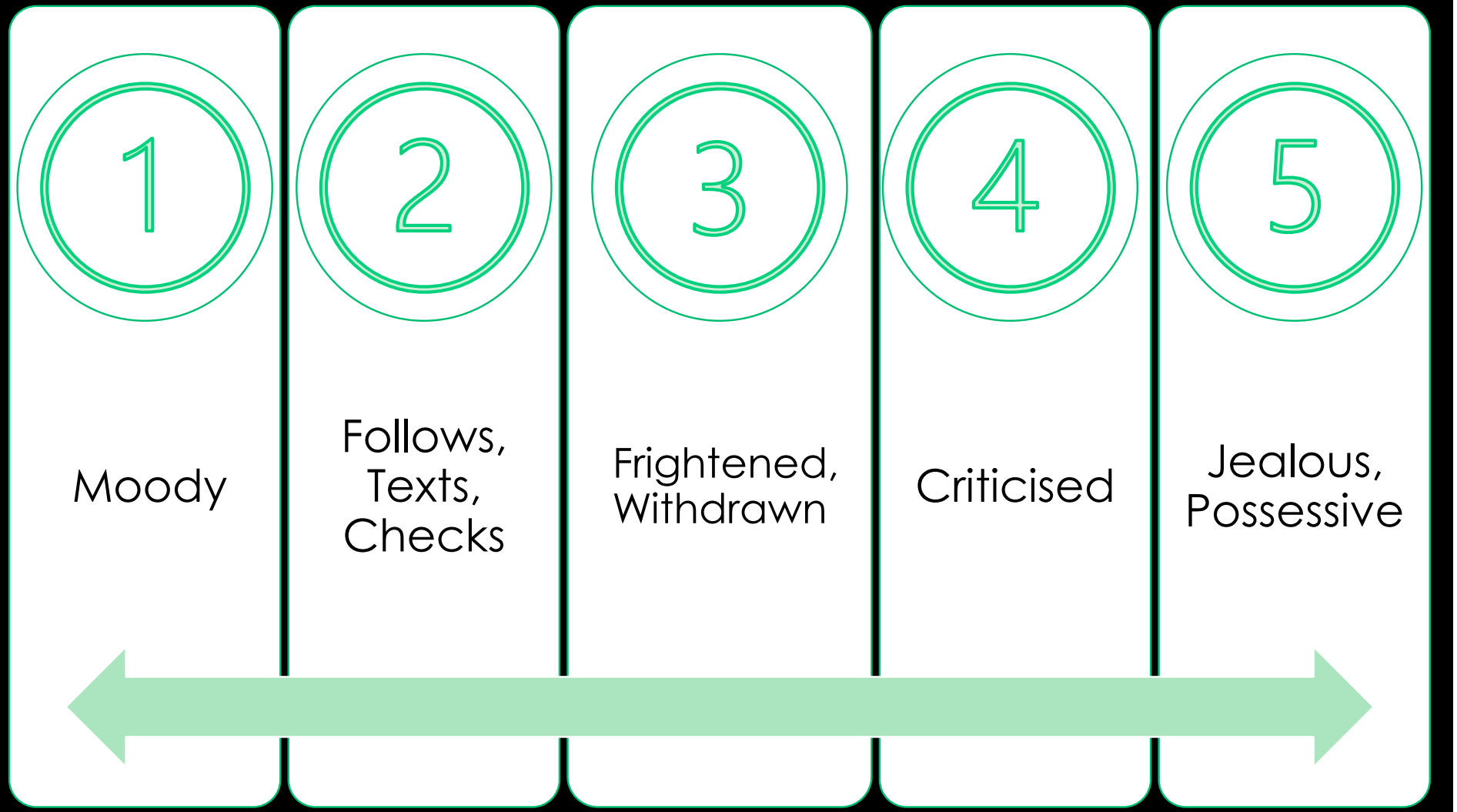
to prevent or reduce domestic violence and the exposure of children to domestic violence

to ensure that people who commit domestic violence are held accountable for their actions.

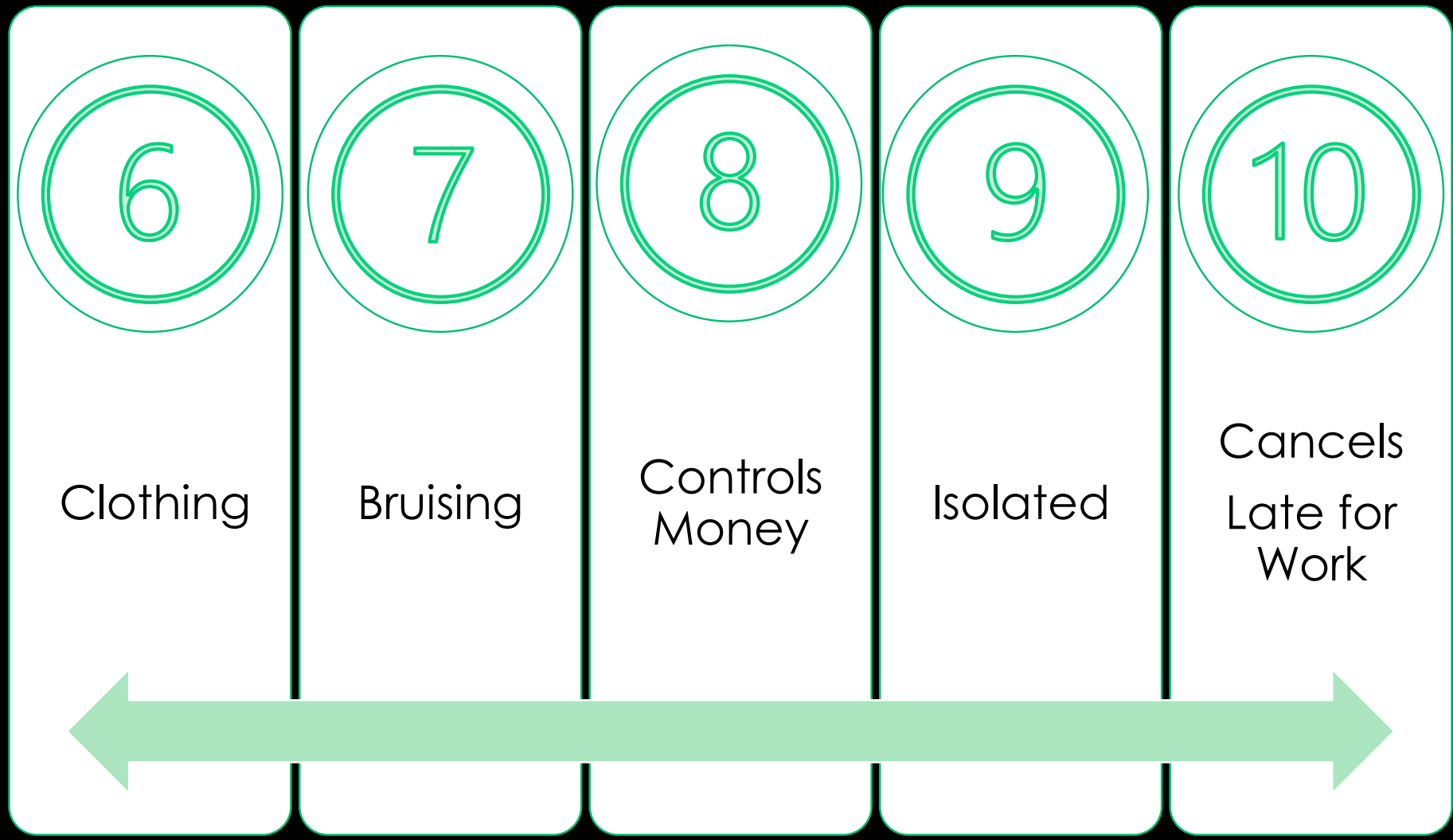
- SPOUSAL
- INTIMATE
- FAMILY RELATIONSHIPS
- INFORMAL CARE

RELATIONSHIPS

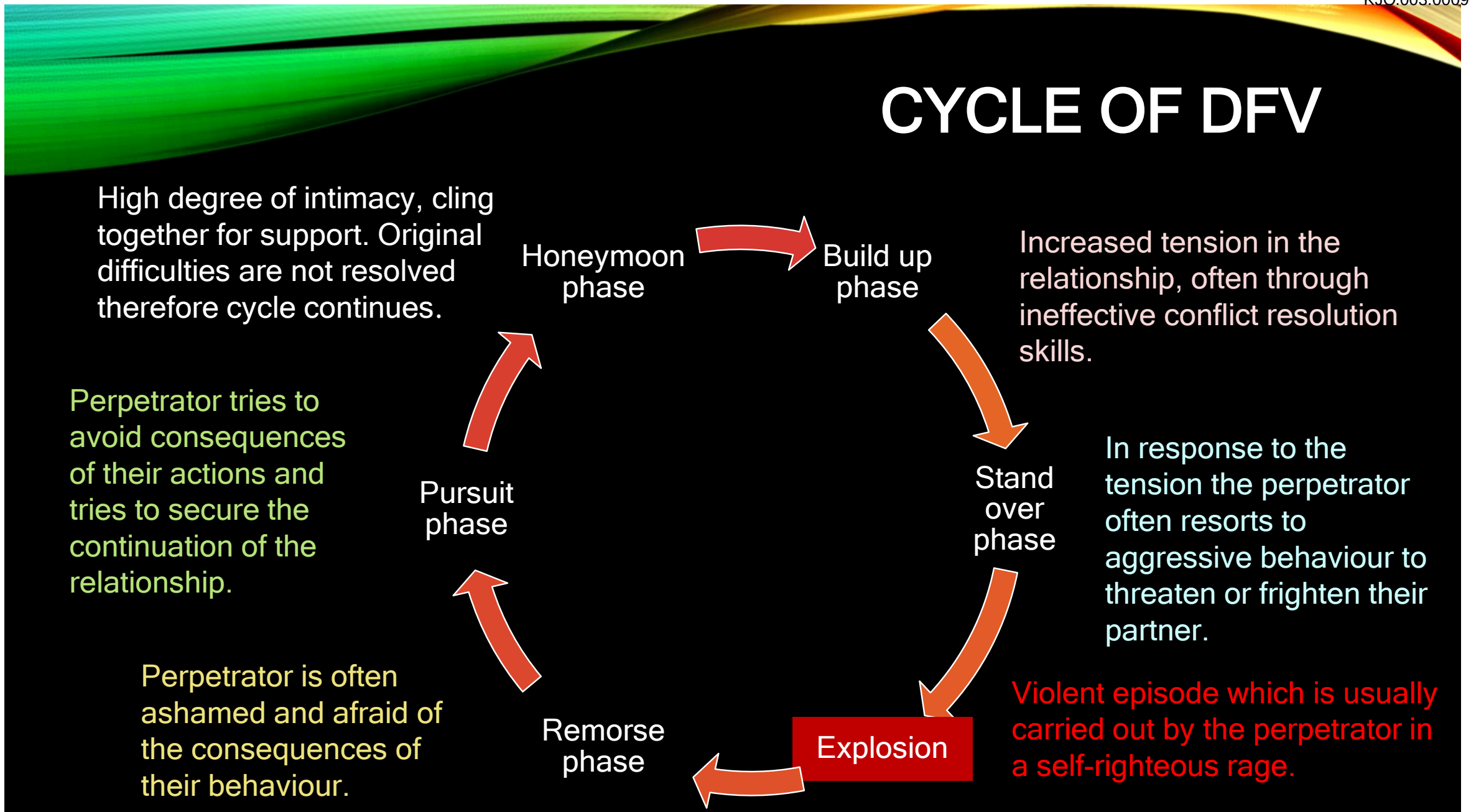
SIGNS


1
Moody
2
Follows, Texts, Checks
3
Frightened, Withdrawn
4
Criticised
5
Jealous, Possessive

SIGNS


6
7
8
9
10
Clothing
Bruising
Controls Money
Isolated
Cancels
Late for Work

CYCLE OF DFV


High degree of intimacy, cling together for support. Original difficulties are not resolved therefore cycle continues.
Honeymoon phase
Build up phase
Increased tension in the relationship, often through ineffective conflict resolution skills.
Stand over phase
In response to the tension the perpetrator often resorts to aggressive behaviour to threaten or frighten their partner.
Explosion
Violent episode which is usually carried out by the perpetrator in a self-righteous rage.
Remorse phase
Perpetrator is often ashamed and afraid of the consequences of their behaviour.
Pursuit phase
Perpetrator tries to avoid consequences of their actions and tries to secure the continuation of the relationship.

DOMESTIC AND FAMILY VIOLENCE IN AUSTRALIA STATISTICS

THE ROLE OF POLICE OFFICERS

If a police officer reasonably suspects a person is an aggrieved, it is his or her **obligation to investigate the complaint, report or circumstance** on which the officer's reasonable suspicion is based, until the officer is satisfied the suspicion is unfounded

DOMESTIC VIOLENCE ORDER

It is a civil order made by the court that includes conditions that restrain, restrict and prohibit the behaviour of the respondent in order to prevent further domestic violence abuse

Police Application

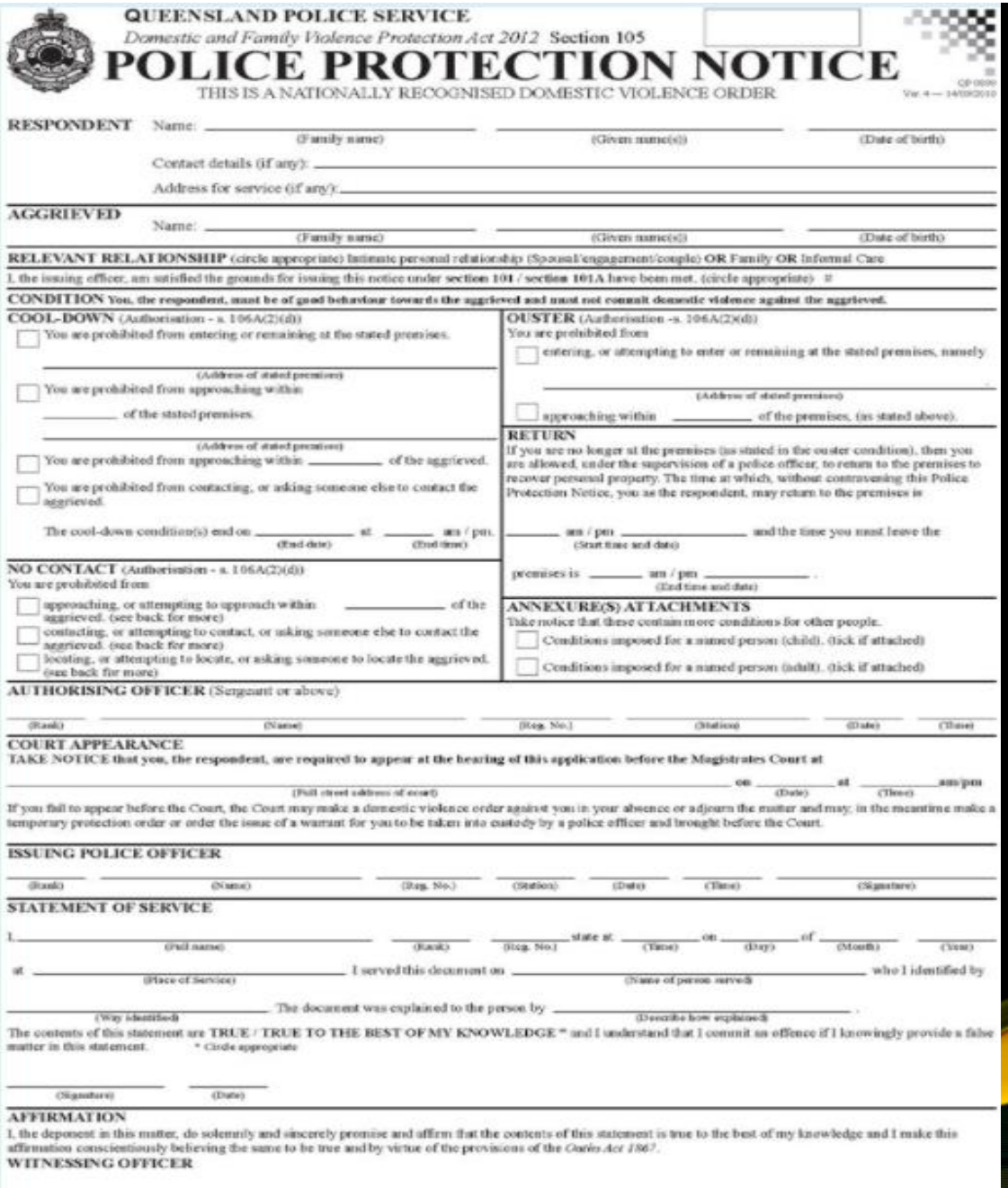
Private Application

AGGRIEVED (Victim)

The person for whose **BENEFIT** a domestic violence order, or a police protection notice, is in force

RESPONDENT (Perpetrator)

A person **AGAINST** whom a domestic violence order, or a police protection notice, is in force



QUEENSLAND POLICE SERVICE

Domestic and Family Violence Protection Act 2012 Section 105

POLICE PROTECTION NOTICE

THIS IS A NATIONALLY RECOGNISED DOMESTIC VIOLENCE ORDER

QP 0699 Ver. 4 — 14/09/2010

RESPONDENT Name: _____ (Family name) _____ (Given name(s)) _____ (Date of birth)

Contact details (if any): _____

Address for service (if any): _____

AGGRIEVED Name: _____ (Family name) _____ (Given name(s)) _____ (Date of birth)

RELEVANT RELATIONSHIP (circle appropriate) Intimate personal relationship (Spousal/engagement/couple) **OR** Family **OR** Informal Care

I, the issuing officer, am satisfied the grounds for issuing this notice under **section 101 / section 101A** have been met. (circle appropriate)

CONDITION **You, the respondent, must be of good behaviour towards the aggrieved and must not commit domestic violence against the aggrieved.**

COOL-DOWN (Authorisation - s. 106A(2)(d))

☐ You are prohibited from entering or remaining at the stated premises.

_____ (Address of stated premises)

☐ You are prohibited from approaching within

_____ of the stated premises.

_____ (Address of stated premises)

☐ You are prohibited from approaching within _____ of the aggrieved.

☐ You are prohibited from contacting, or asking someone else to contact the aggrieved.

The cool-down condition(s) end on _____ (End date) at _____ (End time) am / pm.

NO CONTACT (Authorisation - s. 106A(2)(d))

You are prohibited from

☐ approaching, or attempting to approach within _____ of the aggrieved. (see back for more)

☐ contacting, or attempting to contact, or asking someone else to contact the aggrieved. (see back for more)

☐ locating, or attempting to locate, or asking someone to locate the aggrieved. (see back for more)

OUSTER (Authorisation -s. 106A(2)(d))

You are prohibited from

☐ entering, or attempting to enter or remaining at the stated premises, namely

_____ (Address of stated premises)

☐ approaching within _____ of the premises, (as stated above).

RETURN

If you are no longer at the premises (as stated in the ouster condition), then you are allowed, under the supervision of a police officer, to return to the premises to recover personal property. The time at which, without contravening this Police Protection Notice, you as the respondent, may return to the premises is

_____ am / pm _____ (Start time and date) and the time you must leave the premises is _____ am / pm _____ (End time and date).

ANNEXURE(S) ATTACHMENTS

Take notice that these contain more conditions for other people.

☐ Conditions imposed for a named person (child). (tick if attached)

☐ Conditions imposed for a named person (adult). (tick if attached)

AUTHORISING OFFICER (Sergeant or above)

_____ (Rank) _____ (Name) _____ (Reg. No.) _____ (Station) _____ (Date) _____ (Time)

COURT APPEARANCE

TAKE NOTICE that you, the respondent, are required to appear at the hearing of this application before the Magistrates Court at

_____ (Full street address of court) **on** _____ (Date) **at** _____ (Time) **am/pm**

If you fail to appear before the Court, the Court may make a domestic violence order against you in your absence or adjourn the matter and may, in the meantime make a temporary protection order or order the issue of a warrant for you to be taken into custody by a police officer and brought before the Court.

ISSUING POLICE OFFICER

_____ (Rank) _____ (Name) _____ (Reg. No.) _____ (Station) _____ (Date) _____ (Time) _____ (Signature)

STATEMENT OF SERVICE

I, _____ (Full name) _____ (Rank) _____ (Reg. No.) state at _____ (Time) on _____ (Day) of _____ (Month) _____ (Year)

at _____ (Place of Service) I served this document on _____ (Name of person served) who I identified by _____ (Way identified). The document was explained to the person by _____ (Describe how explained).

The contents of this statement are **TRUE / TRUE TO THE BEST OF MY KNOWLEDGE** * and I understand that I commit an offence if I knowingly provide a false matter in this statement. * Circle appropriate

_____ (Signature) _____ (Date)

AFFIRMATION

I, the deponent in this matter, do solemnly and sincerely promise and affirm that the contents of this statement is true to the best of my knowledge and I make this affirmation conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1867*.

WITNESSING OFFICER

POLICE PROTECTION NOTICE (PPN)

APPLICATION FOR A PROTECTION ORDER

FORM DV1

Domestic and Family Violence Protection Act 2012 (s.32)

Application for a Protection Order

Please note: A copy of this application will be provided to the aggrieved, applicant, respondent and police

1. Aggrieved's details

If the aggrieved does not want the respondent to know their home address please either:

- **Give an address where court documents can be sent e.g. post office box or**
- **Complete an "Aggrieved Details Form" which will not be provided to the respondent**

Given Name/s | Family Name | Date of birth / /

Address **Leave blank if you do not want this information to be given to the other party*

Gender | Home Number | Mobile Number

Work Phone | Email | SPI # (QPS Only)

Does the aggrieved require an interpreter? No ☐ Yes ☐ Language/Dialect:

Does the aggrieved identify as: Aboriginal ☐ Torres Strait Islander ☐ Aboriginal and Torres Strait Islander ☐ Neither ☐

Does the aggrieved have a disability, illness or impairment where support and/or special arrangements are required? No ☐ Yes ☐

Is the aggrieved under 18 years of age? No ☐ Yes ☐

Please supply the details of a parent as all documents must be given to a parent of the aggrieved unless the court orders otherwise.

Parent's Name

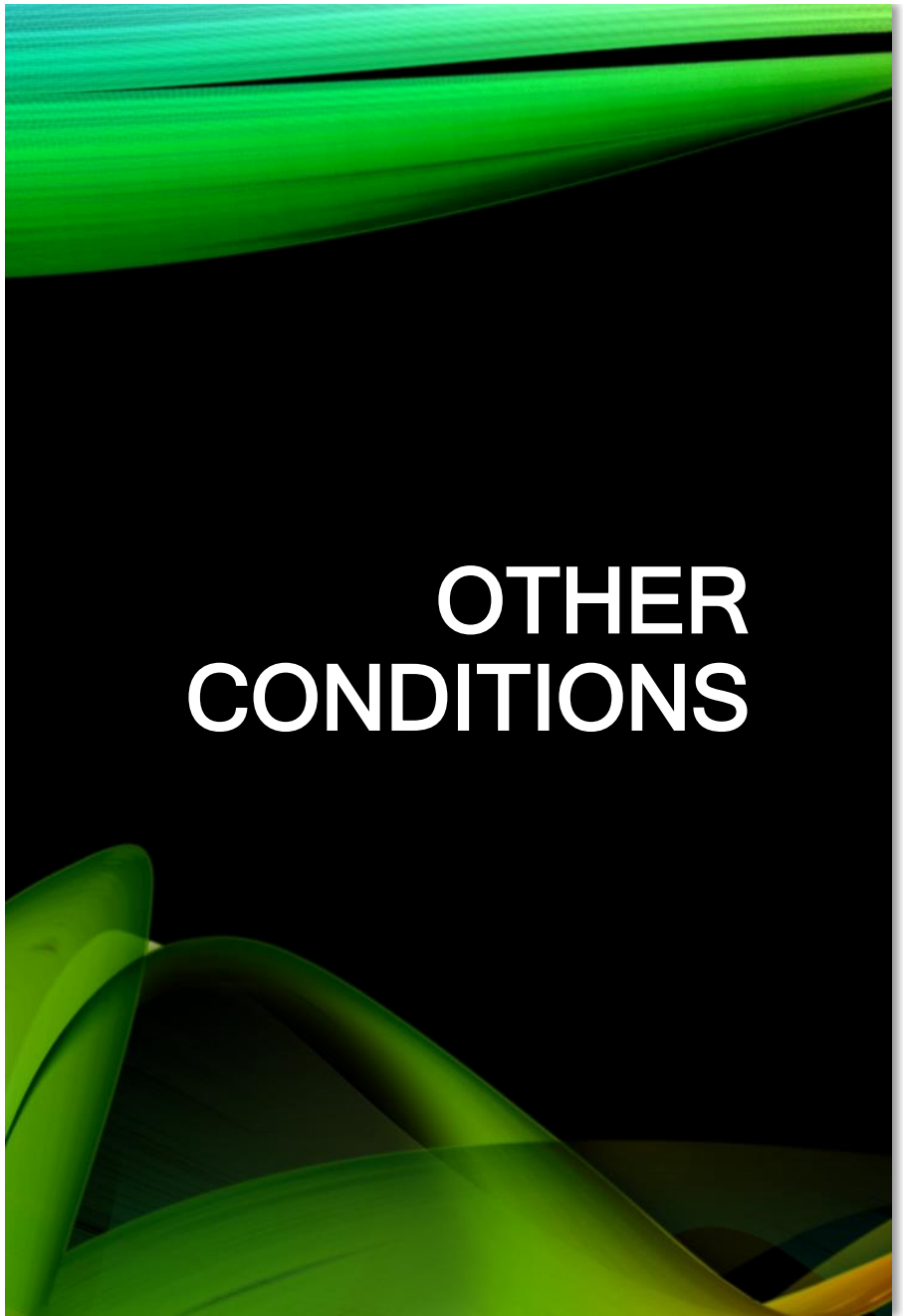
Parent's Address

Proceed to Question 2

MANDATORY CONDITIONS

The respondent must be of **good behaviour** towards the **aggrieved** and not commit domestic violence and

The respondent must be of good behaviour towards **any named person** in the order and not commit an act of associated domestic violence against the person



The court can impose extra conditions prohibiting the respondent from

Approaching or Entering: residing, frequent, work premises, or public places, school of named child

Contacting or asking someone to contact in any way (Phone, SMS, Social Media)

Trying to locate or asking someone to locate

Being present at a place associated with any child

THE ROLE OF POLICE LIAISON OFFICERS

01

maximising the **safety**, **protection** and **wellbeing** of people who fear or experience domestic violence

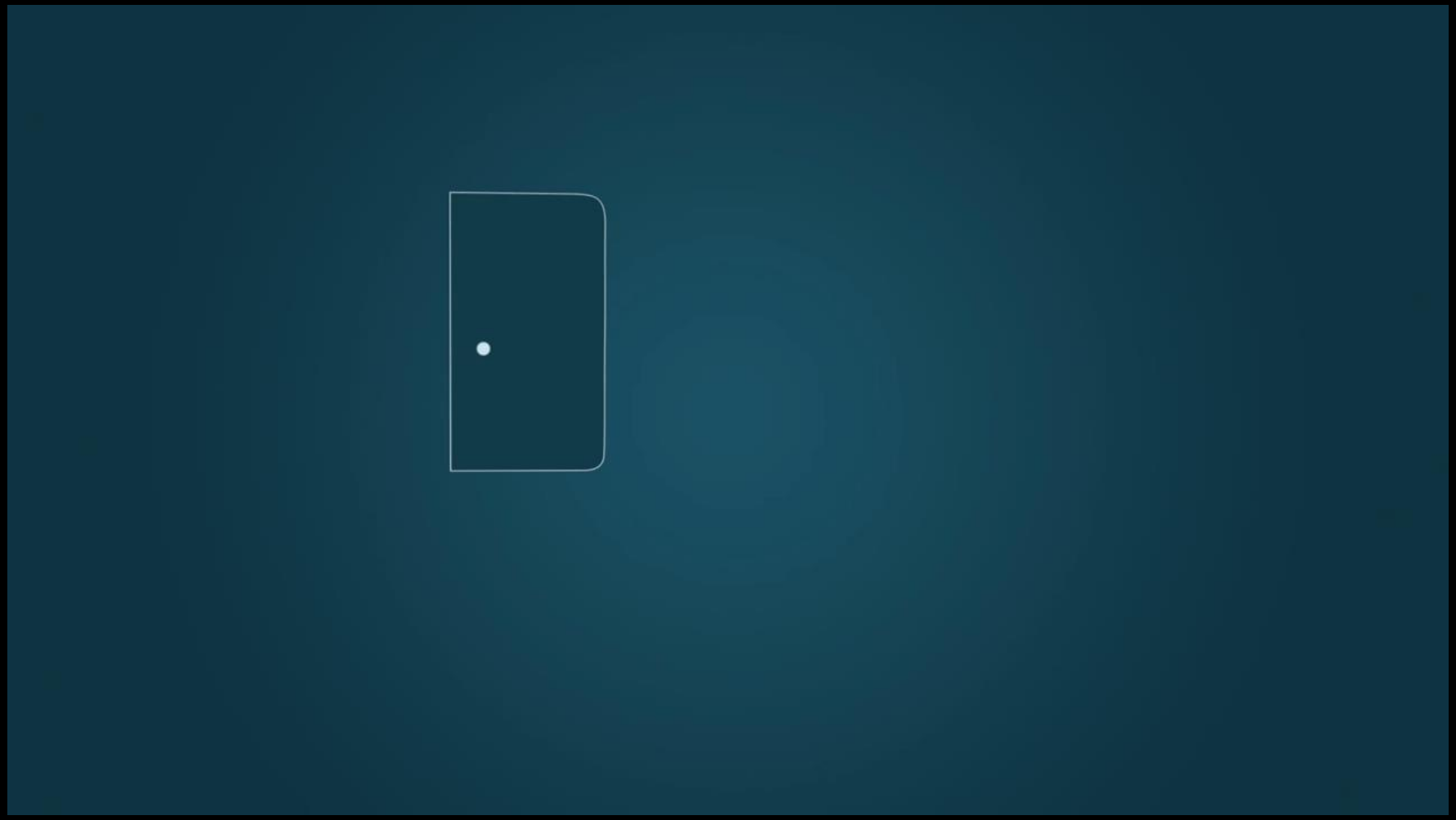
02

preventing or **reducing** domestic violence and the **exposure of children** to domestic violence

03

ensuring people who commit domestic violence are held **accountable** for their actions

OPEN DOORS. ACT NOW. BREAK THE CYCLE



REFERRAL PROGRAM

DVConnect Women
1800 811 811
(24 hr 7 days)

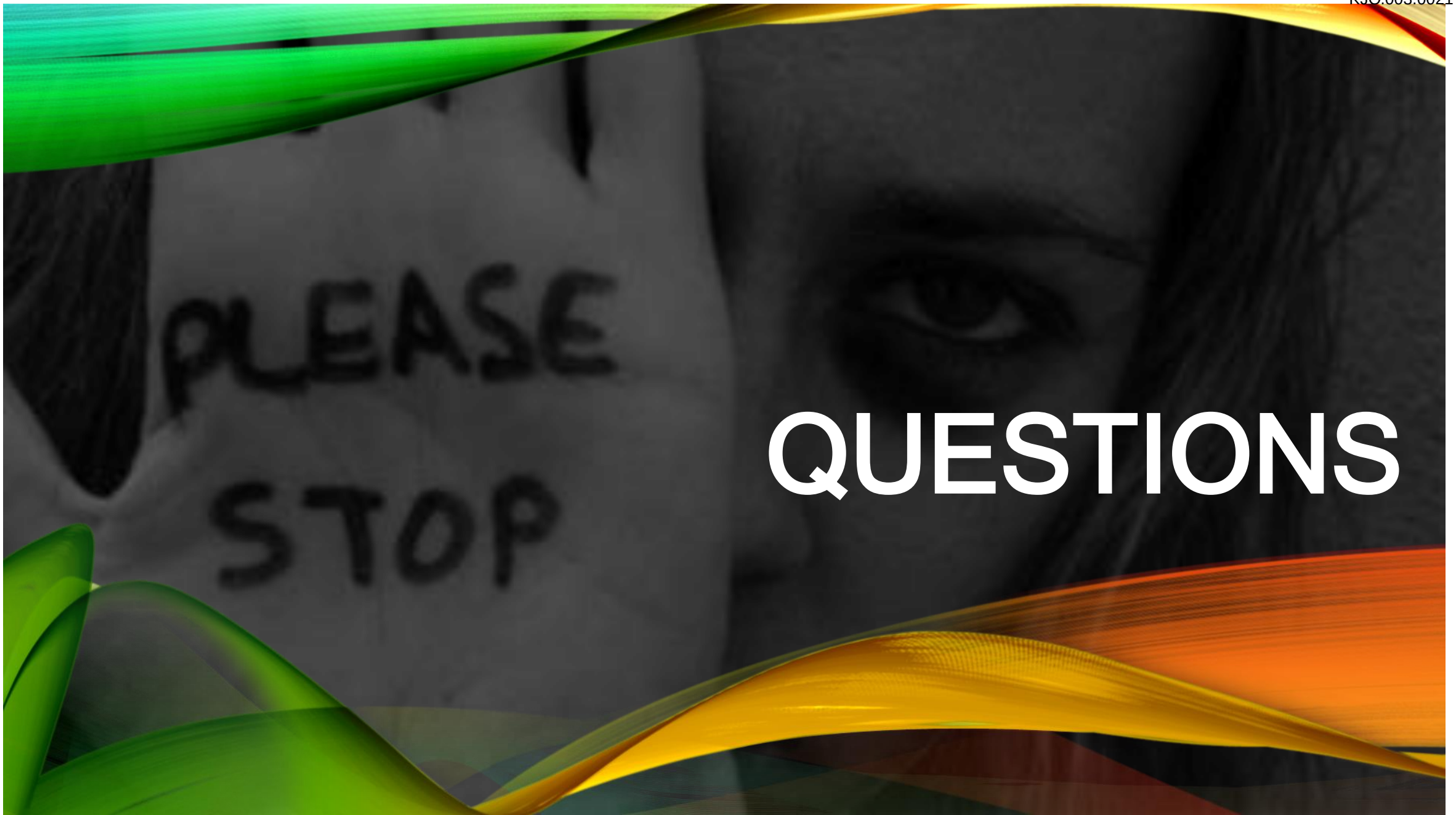
DVConnect Men
1800 600 636
(9am-12mn 7days)

Victims Counselling & Support
1300 139 703 (24hr)

Lifeline Crisis Line
131 114 (24hr)

Legal Aid Queensland
1300 65 11 88
(Mon-Fri 8:30am-5pm)

Relationships Australia Qld
1300 364 277



QUESTIONS