

WHAT IS FAMILY VIOLENCE?

This fact sheet will help you if you want to know more about what family violence is. It includes examples of family violence.

What is family violence?

Family violence is violent, threatening, scary, abusive or controlling behaviour towards another family member. It includes financial, emotional, psychological and sexual abuse, fighting, shouting, choking, stalking, cyber stalking, and breaking or damaging things, or threatening to hurt or kill a family member's pet. It can be more than one abusive act or a series of abusive acts, including over a period of time, that make a family member feel scared and take away their freedom and independence.



Most acts or series of acts that make a family member, including kids, feel scared or fearful will be family violence.

Family violence is sometimes called domestic violence.

Some examples of family violence are given below. Threats to do the things listed below are also family violence. Many forms of family violence may also break the law.

Physical violence

Physical violence, assaults, sexual assaults and sexually abusive behaviour are family violence.



Assaults

Can include unwanted or unlawful touching, pushing, punching, kicking, or choking.

Other criminal behaviour

Can include other actions that break the law such as kidnapping or holding a family member against their will. This might be stopping them from leaving a place or controlling where they can go and when they can leave.

Threats, stalking, insulting remarks

Threats

Can include in person, in writing or online threats to hurt a family member.



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Stalking and cyber stalking

Can include following a family member, watching them or phoning them again and again. This includes:

- ◆ Watching who they are talking to on social media.
- ◆ Sending them text messages, letters or packages.
- ◆ Following them around in a car.
- ◆ Hanging out around the person's home or workplace.



Publishing intimate images

Can include threatening to or actually publishing or distributing intimate personal images of a family member.

Insults or offensive remarks

Can include repeated offensive remarks, insults or put downs such as unwanted or offensive texts.

Damaging property

Can include breaking or destroying things no matter who they belong to, for example:

- ◆ making holes in walls and doors
- ◆ smashing windows in cars and buildings
- ◆ burning clothes, mattresses or toys, and
- ◆ wrecking paintings or ceremony things.



Hurting family pets

Can include killing, hurting or threatening to hurt a family animal or pet.

Controlling money

Financial independence

Can include controlling finances or being unreasonable about money.



Financial support

Can include not giving a family member money to live on to meet their reasonable living expenses, and those of their kids, if they are entirely or mainly dependent on that other person for money to live on.

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Keeping you from friends, family and culture

Family and friends

Can include keeping a family member from making or keeping connections with family and friends.



Culture

Can include keeping a family member from making or keeping connections with their culture.

Dowry abuse

Can include threats, demands, or pressure from a husband or his family, to his wife or her family, about money or gifts exchanged in return for marriage.

Exposing kids to family violence

When kids see or hear violence, including the sort of things talked about here between family members, it can scare them and make them feel worried for a long time afterwards. This is a type of family violence.

Kids watching family violence can also learn violent ways.

Kids need to be protected from being exposed to any of the types of family violence.

'Exposed to family violence' can include:

- ◆ hearing death threats or threats to injure someone
- ◆ seeing an assault
- ◆ helping a person who has been assaulted
- ◆ cleaning up after an assault,
- ◆ being there when police or ambulance officers come to a violent incident.



Who does the law say is a family member?

Family violence laws say there are many people who can be a family member.

Family member covers current and former spouses and partners, the former spouse or de facto partner of your current partner, siblings, kids, parents, grandparents and stepfamily relationships, as well as other relatives and members of intimate or family-type relationships.

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How can you stay safe?



If you are experiencing or at risk of family violence, there are steps you can take to increase your safety and that of your kids. You may need to take action now to make yourself safe as well as plan for the future. For information on this see the fact sheet, **Family violence safety planning – getting ready to leave**.

How can Legal Aid WA help?

Legal Aid WA has a Domestic Violence Legal Unit that provides free legal advice and assistance about family violence issues, including help applying for a family violence restraining order.

Family Advocacy Support Service (FASS) is a free specialist family violence service which provides legal and social support services to people with a family law problem who are affected by family violence.

FASS provides the following services:

- ◆ legal advice and assistance provided by duty lawyers and paralegals at the Family Court in Perth Monday to Friday from 9am to 4pm
- ◆ social support provided by agencies that specialise in family violence. FASS social support includes a dedicated men's social support worker. FASS social support workers can help with risk assessments, safety planning, counselling, referrals to other services, in-court support and advocating on someone's behalf with organisations outside the court system such as police, refuges and housing services.

FASS services are also available when the Family Court is on circuit in Broome, Kalgoorlie, Geraldton, Bunbury and Albany.

The [Legal Aid WA website](https://www.legalaid.wa.gov.au) has information, videos and self- help guides on family violence.

