

# FAMILY VIOLENCE AND THE RECENT LEGISLATIVE REFORM

Hume Region Integrated Family Violence Services work to enhance the capacity of organisations, service providers and the community. Its aim is to prevent violence against women and children and to work with men to ensure a violence free future.

Family violence<sup>1</sup> is a social problem that can have devastating effects on individuals, families and communities. In healthy, respectful relationships both people feel able to express themselves, make their own decisions and when an argument occurs, neither person feels afraid. In a relationship where one person is violent, that person uses their power to control the other person through fear. This harmful behaviour can be physical, sexual, emotional or financial.

Family violence can take many forms and may involve:

- Punching, kicking, pushing or being injured with objects or weapons
- Forced or unwanted sexual behaviour that can be painful or humiliating
- Behaviour that undermines a person's self-esteem and sense of self, such as threats, intimidation and constant put-downs
- Controlling where a person goes, who they see and what they wear
- Preventing a person from having contact with their friends and family
- Withholding money from a person for necessary living expenses, for instance food, clothing or petrol
- Preventing someone from practising their chosen religious or cultural beliefs.

Family violence is a fundamental violation of a person's human rights and is against the law. <sup>2</sup>



## THE IMPACTS OF FAMILY VIOLENCE

Anyone can be a victim of family violence. Family violence can involve abuse of the elderly, sibling abuse, carer abuse, violence in intimate relationships or young people using violence against their parents. Research shows that family violence is a gendered crime. The overwhelming majority of cases involve men using violence against women and children.<sup>3</sup> The impact of family violence on the health and wellbeing of victims and their families, on society, and on the economy is considerable. Family violence remains the leading cause of death, disability and illness for Victorian women aged 15 - 44.<sup>4</sup> Women and children who are subjected to violence in the home are also at an increased risk of experiencing poverty and homelessness.<sup>5</sup> The National Council to Reduce Violence Against Women and their Children estimate that in 2009 violence against women and children will cost the Australian economy \$13.6 billion. By 2021, this figure will have increased to \$15.6 billion if considerable action is not taken.<sup>6</sup>

## FAMILY VIOLENCE LAW REFORM

In 2008 the Victorian State Government introduced the *Family Violence Protection Act 2008*. The Act made numerous reforms that are designed to better protect people experiencing family violence and make people using violence more accountable for their actions.

The new laws have broadened the definition of family violence to include non-physical forms of violence, such as emotional abuse,<sup>7</sup> economic abuse,<sup>8</sup> and other threatening and controlling behaviours.

The definition of family violence now extends to a broader range of family and family-like relationships, including;

- Married and de facto couples
- Couples in civil unions
- Gay and lesbian relationships
- People in intimate personal relationships
- Parents, guardians and children
- Relatives
- Kinship relationships and other cultural familial relationships
- People with a disability who are in a family-like relationship with their carer

The *Family Violence Protection Act 2008* has made it easier for those experiencing abuse to adjust tenancy agreements and have the violent person removed from the home. This reform is designed to support women and children affected by family violence to stay in their homes, if they wish. When women are supported to remain in their communities they are better able to maintain social support networks, employment and educational opportunities and stability of care for their children.

The *Family Violence Protection Act 2008* has given the Victoria Police greater powers to take action and respond to family violence incidents. The new laws have also made amendments to the court system, which are intended to encourage greater reporting by victims of violence. An important change to occur under the Act is the restriction of offenders cross-examining those they have victimised in the court proceedings.

*'Violence against women is difficult to talk about. We often prefer silence to the confronting truth that nearly half a million Australian women have experienced violence from their partner or former partner. Well, we can be silent no longer... It is my gender - it is our gender - Australian men - that are responsible. And so the question is: what are we going to do about it?'*

The Hon. Kevin Rudd MP  
Prime Minister of Australia, 2008

If you are experiencing family violence or hurting the people you care about, help and support is available.

**Women's Domestic Violence Crisis Service:**  
1800 015 188

**Centre Against Sexual Assault:**  
1800 806 292

**Kids Help Line:**  
1800 551 800

**Women's Legal Service Victoria:**  
1800 133 302

**Men's Referral Service:**  
1800 065 973

**Centrelink Crisis Payment:**  
132 850

**Aboriginal Family Violence Prevention & Legal Service:**  
1800 105 303

**WIRE:**  
1300 134 130

**In the case of an emergency call 000**

 **INTEGRATED FAMILY VIOLENCE SERVICES**  
Women, men and children  
Hume Region



For more information about these fact sheets go to [www.familyviolenceservices.com.au](http://www.familyviolenceservices.com.au)

1 Family violence is also known as domestic violence, intimate partner violence or gender-based violence.  
2 The Family Violence Protection Act 2008.

3 Australian Bureau of Statistics (2005) Personal Safety Survey, ABS Cat. No 4906.0, Commonwealth of Australia, Canberra.

4 VicHealth (2004) The Health Costs of Violence: Measuring the Burden of Disease caused by Intimate Partner Violence, Victorian Health Promotion Foundation, Melbourne.

5 The National Council to Reduce Violence against Women and their Children (2009) Time for Action: The National Council's plan for Australia to Reduce Violence

6 Ibid

7 Emotional abuse is when a person seeks to undermine another person's self-esteem and self-worth. This can be done by behaviours, such as name calling, putdowns and emotional blackmail.

8 Economic abuse involves a person controlling another person by denying them full access to money and employment opportunities.