

What's the law?

Australian law for new arrivals

Answer sheet 10: Family violence

July 2011

Requirements: A copy of the DVD. For the discussion activity, draw the outline of a person on a board or large sheet of paper. Create a mind-map as students brainstorm ideas about where they can go to be safe. This discussion could elicit thinking about safety planning and provide an opportunity to discuss how the state has a role in supporting people to escape family violence, e.g. by providing family violence refuges.

Pre-teaching

Vocabulary: (court) order, brother in law, dangerous, especially, pregnant, protection, scared, threaten.

Warmer activity to introduce topic: Discussion: *The law in Australia says you cannot hurt people, including your family at home. Is this the same in other countries you know about?*

Key Messages

1. In every state there are domestic violence services. Anyone who is experiencing family violence can phone the hotline in their state. There are services for men and women. Domestic violence crisis centres can help with information, safety planning, and accommodation to support women who are escaping violence.
2. In Australia it is the police's role to make sure you are safe and to help you if you are unsafe or afraid. If you are in danger and need urgent help, **phone 000** and ask for the police. You can also go to your local police station. Always tell the police if you do not understand or speak English. They will get an interpreter.
3. You will not automatically be deported from Australia if you report domestic violence, even if you only have a spouse visa and do not have permanent residence. If you are in this situation, you should talk to a lawyer or migration agent to get more advice.
4. An Australian court can make an order to stop threats, violence and emotional abuse in the future. It tells the offender to stay away from you and to stop behaving in certain ways towards you. The order can be worded to suit your situation. You can get help to apply for an order from a court.
5. It is a criminal offence to breach (break) an order and the person can be punished by the court. The police must help you if there has been a breach.

Answers

Activity A

- | | | |
|--------------------------|---|---|
| 1. football/soccer/sport | 2. his sister is having problems with her husband | 3. to talk to his sister and make sure she has a safe place to go |
| 4. her husband hit her | 5. the police | |

Activity B

- | | | |
|--------------------------|-------------------|-----------------------|
| 1. her husband hits her | 2. be a good wife | 3. talk to his sister |
| 4. to stop hurting Radha | 5. at home | |

Activity C

- | | | | | |
|----------|----------|---------|---------|---------|
| 1. false | 2. false | 3. true | 4. true | 5. true |
|----------|----------|---------|---------|---------|

Activity D

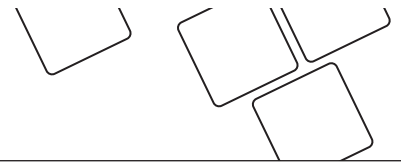
- | | | |
|---------|----------|-----------|
| 1. safe | 2. order | 3. police |
|---------|----------|-----------|

Activity E

Discussion

Activity F

Check last slide in the DVD for the best place to get free legal help.



Script for Family violence story

- Nabeeh You missed three goals Ram. What's wrong?
- Ram Oh, my sister Radha just called. She's having problems with her husband and wants to stay with us tonight. She's scared of him.
- Nabeeh How come she's scared?
- Ram Well, he gets angry. He says she spends too much of his money. He won't give her enough money to buy food, he doesn't like her cooking. He throws things around the house and sometimes he hits her. I don't know what to do or say.
- Nabeeh What did you say to her?
- Ram Well, I told her he's her husband and she has to stay with him, she has to do what he says and then he won't be so angry. But...now I'm worried about her.
- Nabeeh My cousin beat up his wife badly when she was pregnant.
- Ram What!?
- Nabeeh I feel really bad because when she asked for help I told her, 'Just be a good wife and it will be OK.'
- Ram So what should I do?
- Nabeeh Go and talk to your sister. Tell her what he is doing is wrong. He has no right to hit her. Make sure she has a safe place to go.

Alternative voiceover for Northern Territory only:

Nabeeh You have to take this seriously. The law says you must tell police if you think someone has hurt or will hurt a family member.

Ram But if I tell the police now it will make everything worse.

Nabeeh Wait until it is safe for you and your sister.

A few weeks later.

- Radha** He hit me again. I'm scared.
- Lakshmi** It is too dangerous at your house. You and the children can come and stay with us. Why don't we call a domestic violence service and ask what we should do next?
- Radha** They told me I should get an order telling him to stop. They said I could get help from the police or legal aid. What do you think?
- Lakshmi** Let's go to the police now and talk to them.
- Radha** Good.
- Radha** Can you help me? My husband hit me.
- Police officer** We can help you get an order to tell your husband to stop hurting you. The order can also tell your husband to leave the family home if you want him to.

Western Australia only

The police can make a temporary order to protect you in some cases. You can also apply for a court order to tell your husband to stop hurting you. Legal aid can help. Let's work out what will be best for you.

- Radha** How can we pay the rent if he leaves? I don't want him to go, I just want him to listen to the police and understand they will arrest him if he does not stop.
- Police officer** He can be ordered not to threaten you or hurt you, even if you live together.
- Radha** What should I do?
- Lakshmi** I think you should get an order that tells him to stop. You and the children have the right to be safe at home. The law says so.

Western Australia only

I think you should go to legal aid and get an order that tells him to stop. You and the children have the right to be safe at home. The law says so.