

# Empowering Safety

Navigating Support for Visa Holders  
Facing Family Violence



# What is family violence?

The Family Violence Protection Act (2008) defines family violence as:

- Behaviour that: is physically, sexually, emotionally, psychologically or economically abusive; is threatening or coercive; controls or dominates the family member and; causes that family member to feel fear for the safety or well-being of that family member or another person.
- Behaviour that causes a child to hear, witness or otherwise be exposed to the effects of any behaviour referred to above.

## Types of family violence

- Intimidation/controlling behaviours
- Verbal
- Physical
- Emotional
- Social
- Economic (financial)
- Sexual
- Spiritual/religious
- Pets
- Stalking (e.g. Technology)
- Spousal homicide



# Are you experiencing family violence?

**Think about your relationship, your feelings and the behaviour of your partner. If you answer yes to any of the following questions, you might be experiencing family violence.**

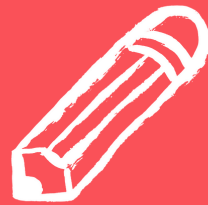
- Do you feel that you are often 'walking on eggshells'?
- Is it difficult to disagree with or say 'no' to your partner?
- Does your partner check up on what you are doing?
- Does your partner try to stop you from seeing your friends and family?
- Does your partner accuse you of flirting with other people?
- Do you feel afraid or anxious around your partner?
- Does your partner insult, belittle, or humiliate you?
- Does your partner dictate how the household finances are spent, or stop you from having any money for yourself?
- Does your partner restrict your access to money, transportation, or basic necessities?
- Does your partner pressure you to do sexual things you don't want to or to have sex when you don't feel like it?
- Does your partner threaten you, push you, damage property, throw things or make you feel unsafe?
- Do your children hear or see things that might be damaging to them?
- Have you noticed any changes in your behaviour, such as isolation or withdrawal from social activities?
- Does your partner threaten to kill themselves or take the children away from you?
- Have you been frightened for your own or your children's safety?
- Has anyone else expressed concern about your well-being or safety in your relationship?

This is not an exhaustive list of questions about family violence, and there are other forms of family violence women can experience.



If you are unsure if you are experiencing family violence, contact 1800RESPECT to talk about what's happening.

# Create a safety plan



## What is a safety plan?

It is a personalised plan that outlines the steps an individual can take to stay safe during or after an abusive incident. This can help lower your risk of being hurt by your partner.

The plan should be tailored to the individual's unique circumstances that will increase your safety at school, home, and other places that you go on a daily basis. It should also include specific actions in case of an emergency.

## How to create a safety plan

You can make a simple safety plan with help from a friend or someone in your family. You can also contact a support service to make a detailed safety plan.

If you would like support, you can contact 1800RESPECT on 1800 737 732 or through their online chat service.



## Here is an example:

1. Identify a safe place to go if you need to leave quickly, such as a friend's or family member's house, a domestic violence shelter, or a public place like a library or a police station.
2. Memorise important phone numbers, including those of the police, a local domestic violence hotline, and a trusted friend or family member. Keep a cell phone or a list of phone numbers with you at all times.
3. Create a list of trusted individuals who you can call for help or support, such as a therapist, a religious leader, or a co-worker.
4. Develop a code word or signal that you can use to communicate with friends or family members if you need help or are in danger.
5. Keep important documents, such as identification papers, bank account information, and medical records in a safe place that only you can access.
6. Make a plan for how to protect yourself during an abusive incident, such as avoiding rooms without exits, staying away from weapons or dangerous objects, or locking yourself in a room if possible.
7. Talk to your children about what to do if there is an abusive incident, and practise a safety plan with them.
8. If you have pets, make a plan for their safety as well, such as keeping them in a safe room or arranging for someone to care for them if you need to leave quickly.

Remember, this is just an example. It's important to tailor the plan to your individual circumstances and to seek help from a domestic violence advocate or another professional if you need additional support.

# Women on temporary visas experiencing family violence

## What are family violence provisions?

**You do not need to remain in an abusive relationship in order to stay in Australia.**

If you have experienced family violence, and you are no longer in a relationship with your sponsor (alleged perpetrator), you may be able to be considered for the family violence provisions under migration legislation. You may be eligible for a permanent visa if:

You have applied for a:

- Temporary Partner visa (subclass 820)
- Provisional Partner visa (subclass 309)
- Dependent Child (subclass 445)
- Distinguished Talent (subclass 858)

OR you hold a:

- Temporary Partner visa (subclass 820)
- Provisional Partner visa (subclass 309)
- Provisional Partner visa (subclass 309)
- Prospective Marriage visa (subclass 300)

The family violence, or part of the family violence, must have occurred while your relationship existed with your sponsor (or alleged perpetrator).



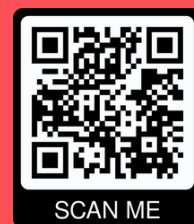
# Step by step: How to apply for the family violence provision

- 1.** Notify the department: You should use the 'notification of relationship cessation form' in the 'Update Details' tab in ImmiAccount. You should create a new ImmiAccount, ensuring the email address you use to create this account cannot be accessed by your former partner
- 2.** Gather your documents (relationship assessment): You should provide evidence that you were in a genuine and ongoing relationship with your former sponsor, prior to your relationship ceasing. Examples of documents: financial aspects, household and domestic arrangements, social aspects and commitment.
- 3.** Gather your documents (family violence): You can provide either judicial evidence or non-judicial evidence. The family violence evidence must show that the family violence or part of the family violence occurred while you were in a relationship with your former partner.
  - Judicial evidence: It is a document from a court of law. You must provide a final court order. You can provide an interim order to us while you await the final court outcome.
  - Non-judicial evidence: You should fill a statutory declaration and attach evidence from two of the following categories: medical, police, child welfare officer, family violence support service provider, social worker, psychologist, family consultant/ family relationship counsellor or education professional.
- 4.** Send the documents: The Department of Home Affairs will do an assessment to determine that the violence, or part of the violence, you experienced occurred while you were in a relationship with your sponsor and that your former sponsor was the alleged perpetrator. They might ask you for additional information, such as a health exam or more documents ( e.g. Australian or overseas police certificate).

For more information, please refer to this link:

<https://immi.homeaffairs.gov.au/visas/domestic-family-violence-and-your-visa/family-violence-provisions>

Or scan this QR code:



# Main support services



ORGANISATION	CONTACT	SERVICES
Police Emergency Response	000 (24 hours)	Emergency support
1800RESPECT (National Domestic Family and Sexual Violence Counselling Service)	1800 737 732 (24 hours) <a href="https://www.1800respect.org.au/">https://www.1800respect.org.au/</a>	Telephone counselling 45-60 min. Help to link to other services around the victims' area.
Safe Steps (Family Violence Response Centre)	(03) 9373 0123 or 1800 015 188 (24 hours)	Telephone counselling and referral to safe accommodation.
In Touch (Multicultural Centre Against Family Violence)	(03) 8413 6800 or 1800 755 988	Culturally-sensitive services to meet the needs of women and children affected by family violence who are from culturally and linguistically diverse backgrounds.
Kids Help Line	1800 551 800 (24 hours)	Support for, and information to, children and young people.
Men's Referral Service	(03) 9428 2899 or 1800 065 973 Weekdays 9am – 9pm	Free, anonymous, and confidential telephone counselling, information, and referrals to men to assist them to take action to stop using violent and controlling behaviour.
Rainbow Door	1800 729 367 or text 0480 017 246 (10am to 5pm, 7 days a week) <a href="mailto:support@rainbowdoor.org.au">support@rainbowdoor.org.au</a> <a href="https://www.rainbowdoor.org.au/">https://www.rainbowdoor.org.au/</a>	Free specialist advice to LGBTIQ+ people and their friends and families.
Orange Door	<a href="https://www.orangedoor.vic.gov.au/">https://www.orangedoor.vic.gov.au/</a>	Help and support for family violence, as well to as families in need of support with the wellbeing and development of children
Women's Legal Service Victoria	03 8622 0600 <a href="https://www.womenslegal.org.au/">https://www.womenslegal.org.au/</a>	Free legal services to women experiencing disadvantage to address legal issues arising from relationship breakdown or violence.