



Myths and misunderstandings



FAMILY VIOLENCE LAW HELP

www.familyviolencelaw.gov.au

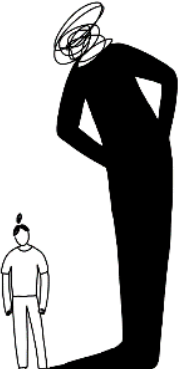
Myth	Domestic and family violence is not a big problem in Australia
Fact	 <p>The sad reality is that domestic and family violence is common in Australia and is under-reported.</p> <p>One in four women have experienced at least one incident of physical or sexual violence by a male partner.¹</p> <p>Non-physical violence is also common.</p>


Myth	Men are just as likely to be victims of domestic and family violence as women
Fact	 <p>Men can experience violence as victims, and most men do not use domestic and family violence. Women can also use violence in relationships.</p> <p>Research shows that domestic and family violence is most often done by men against women.</p> <p>Men are most likely to experience violence by a stranger in a place of entertainment, while women are most likely to experience violence by someone they know in their home.²</p> <p>Research shows that domestic and family violence also happens in same-sex relationships.³</p>

¹ Peta Cox. [Violence against women in Australia: Additional analysis of the Australian Bureau of Statistics Personal Safety Survey, 2012: Horizons Research Report. ANROWS, October 2015.](#)

² Australian Bureau of Statistics. [Personal Safety Survey, 2016.](#)

³ Monica Campo and Sarah Tayton, [Intimate partner violence in lesbian, gay, bisexual, trans, intersex and queer communities - Key issues. CFCA Practitioner Resource, December 2015.](#)


Myth	Domestic and family violence is always physical
Fact	 <p>Domestic and family violence involves the abuse of power and control over a person. This may be done through behaviours that are not always physical.</p> <p>For example, abuse can be verbal, psychological, financial, sexual or spiritual. It can include isolating a person from their friends and family, destroying their property, threatening or harming animals or stalking a person.</p>


Myth	Domestic and family violence only happens in some cultures or ethnic communities
Fact	<p>Research shows that domestic and family violence happens in all parts of society, regardless of race, gender, age, sexual identity, socio-economic status, location, culture or religion.</p> <p>However, some groups of people are more vulnerable to the experience and effects of violence than others due to their circumstances or needs.</p>  <p>For example, Aboriginal and Torres Strait Islander people⁴ and women with a disability⁵ experience higher rates of domestic and family violence.</p> <p>For example, women from diverse cultures and backgrounds can face more difficulties reporting domestic and family violence or getting help.⁶ Language barriers, social isolation, cultural norms and uncertain citizenship can make it difficult for them to understand their rights and access support.</p>

⁴ Andrew Day, Ashlen Francisco and Robin Jones. Programs to improve personal safety of Indigenous communities: Evidence and issues. Issues Paper No.4 Canberra: Closing the Gap Clearinghouse. Australian Institute of Health and Welfare, 2013.

⁵ Australian Human Rights Commission. Australian Study Tour Report: Visit of the UN Special Rapporteur on Violence against Women, 10-12 April 2012. Australian Human Rights Commission, 2012; Leanne Dowse, et al. Stop the violence: Addressing violence against women and girls with disabilities in Australia: Background paper. Women with Disabilities Australia, 2013.

⁶ Cathy Vaughan et al. Promoting community-led responses to violence against immigrant and refugee women in metropolitan and regional Australia, the ASPIRE Project: State of knowledge paper. ANROWS, December 2015.


Myth	Domestic and family violence is less of a problem in rural or regional Australia
Fact	<p>Domestic and family violence happens everywhere. Studies suggest that women living in rural and remote areas often experience greater severity of physical abuse, greater frequency of violence, and remain trapped in abusive relationships longer.⁷</p>  <p>Women in rural and remote areas report high rates of domestic and family violence.⁸</p> <p>Victims may find it harder to leave because they are geographically or socially isolated, have less access to support and services and have fewer options for transport and accommodation.</p> <p>It can also be difficult to leave when living on a farm, as this may mean a person needs to leave their animals, income, assets and community.</p>

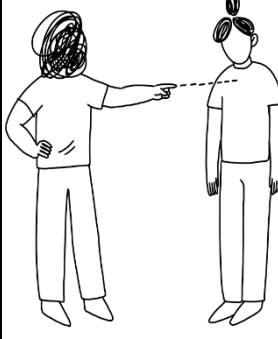
Myth	Reporting domestic and family violence will make matters worse
Fact	 <p>Although, court proceedings can be a high risk time for victims of domestic and family violence, reporting violence can also be an important step in stopping violence and getting protection.</p> <p>If you are worried about reporting, it's important to talk to a domestic and family violence support service like 1800 RESPECT. They can help you make a plan about how and when it may be safer to report or take legal action.</p> <p>Reporting to police can be important. Police may apply for a Domestic Violence Order to protect you or they may charge a person who has used violence with a criminal offence. Research shows that police assistance and Domestic Violence Orders can help to reduce violence.⁹</p>

⁷ Sarah Wendt et al. Seeking help for domestic violence: Exploring rural women's coping experiences: State of Knowledge paper. ANROWS, 2015.


⁸ Gita Mishra et al. Health and wellbeing of women aged 18 to 23 in 2013 and 1996: Findings from the Australian Longitudinal Study on Women's Health. Department of Health, 2014.

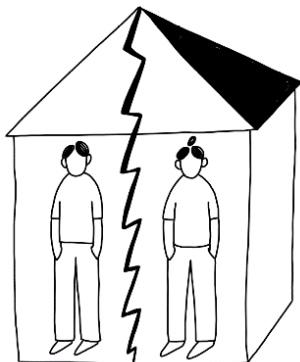
⁹ Margrette Young, Julie Byles J and Annette Dobson. The effectiveness of legal protection in the prevention of domestic violence in the lives of young Australian women. Trends & issues in crime and criminal justice No. 148. Australian Institute of Criminology, 2000.

Myth	Children are not affected by domestic and family violence
Fact	<p>Children can be seriously harmed by domestic and family violence. This can happen when a child directly experiences domestic and family violence as well as when a child is exposed to violence against a family member.</p> <p>If a child is exposed to domestic and family violence, it can:</p> <div data-bbox="365 640 576 1018">  </div> <ul style="list-style-type: none"> • cause immediate trauma and psychological harm • put them at greater risk of physical harm • have long-term effects on their mental health • increase the chances of behavioural problems • cause social and learning difficulties • increase the chance of them using or experiencing violence in their adult relationships. <p>Not all children exposed to domestic and family violence are affected in the same way.</p>

Myth	Victims provoke domestic and family violence
Fact	<div data-bbox="316 1312 592 1648">  </div> <p>No one asks for or deserves to be abused. People who use violence may try to shift the blame to the victim by telling them that they made them angry or jealous.</p> <p>Most victims of domestic and family violence do everything they can to avoid violence and even try to change their own behaviour in the hope that it will stop the abuse.</p> <p>This will not stop the violence because they are not the cause of the violence. The cause of the violence is the violent person who is trying to maintain power and control over the victim.</p>

Myth	Domestic and family violence is usually a one-off incident at an emotional time or when a relationship ends
Fact	<p>Although one-off incidents do occur, domestic and family violence is usually an ongoing pattern of behaviour.</p> <p>It rarely happens one time only.</p> <p>Domestic and family violence is often a way of controlling a victim and may involve what is known as a 'cycle of abuse'. However, not all people experience the cycle of abuse.</p> <p>The cycle of abuse is a theory developed in 1979 by Dr Lenore Walker. It explains a repetitive pattern of behaviour in an abusive relationship which makes it hard for a person to leave. It moves through the following phases:</p> <div data-bbox="313 976 649 1375"> </div> <ol style="list-style-type: none"> 1. Explosion - an incident of domestic and family violence occurs. 2. Remorse - this may involve the person who used violence apologising, making excuses or promises, blaming the other person or denying or minimising the violence. 3. Honeymoon - this is a time where there is no violence and things seem calm. 4. Build up - the person who uses violence may start nit-picking and standing over the other person. Small incidents start and tension builds. The person experiencing violence becomes scared and withdrawn. <p>This cycle then repeats itself.</p> <p>Sometimes, as the cycle repeats, the types of violence become more severe, and the time it takes to go through the cycle gets quicker.</p>


Myth	Domestic and family violence is a private matter
<p>Fact</p>	<div data-bbox="362 415 621 657">  </div> <p>Domestic and family violence should not be treated as a private matter. It can be a serious crime that may lead to injury or death.</p> <p>Domestic and family violence puts more women aged between 15 and 44 years of age at risk of ill health and premature death than any other risk factor. ¹⁰</p> <p>41% of homicides across Australia, are because of domestic and family violence.¹¹ Domestic and family violence affects the whole community and costs Australia at least \$22 billion each year. ¹² By treating domestic and family violence as a private matter, we ignore how serious it is and make victims less likely to speak out and get help.</p>


Myth	Domestic and family violence will stop after separation
<p>Fact</p>	<div data-bbox="329 1098 626 1457">  </div> <p>If a victim leaves a relationship, the person who uses violence may see this as a direct threat to their control over the victim. Research shows that one of the most dangerous times is in the months after separation.</p> <p>A person who used violence in the relationship may use many tactics to reassert control over a victim.</p> <p>For this reason, it's important to get help and stay safe.</p>

¹⁰ [VicHealth and Department of Human Services. The health costs of violence. Measuring the burden of disease caused by intimate partner violence – A summary of findings. 2004.](#)

¹¹ [Tracy Cussen and Willow Bryant, Domestic/family homicide in Australia: Research in practice no. 38. Australian Institute of Criminology, May 2015.](#)

¹² [KPMG. The Cost of Violence against Women and their Children in Australia, 2016.](#)


Myth	Domestic and family violence does not include sexual assault
Fact	 <p>The law recognises sexual assault in a relationship or by a family member as a form of domestic and family violence. It is a serious criminal offence.</p> <p>Evidence shows that many victims don't report, or even disclose sexual assault, even when they report other forms of violence. ¹³</p>

Myth	Women often make false or exaggerated claims of domestic and family violence to get an advantage in court cases about parenting
Fact	 <p>There is no research to show that women make false or exaggerated claims of domestic and family violence to get an advantage in court cases about parenting.</p> <p>Domestic and family violence is under-reported. People who have experienced violence are often reluctant to talk about it for many reasons, including fear of not being believed. ¹⁴ Some research suggests that people who have used violence often deny or minimise domestic and family violence. ¹⁵</p> <p>It is important to take domestic and family violence seriously including during court cases about parenting or when families are separating.</p> <p>Separation and court proceedings are high risk times for domestic and family violence. Sometimes the first time a person feels safe to talk about domestic and family violence is after they have left a relationship, and when they are trying to sort out arrangements for their children.</p>

¹³ Peta Cox. Sexual assault and domestic violence in the context of co-occurrence and re-victimisation: State of knowledge paper. ANROWS, 2015

¹⁴ Lesley Laing. No Way to Live: Women's Experiences of Negotiating the Family Law System in the Context of Domestic Violence. University of Sydney, 2010.

¹⁵ Peter Jaffe et al. 'Custody disputes involving allegations of Domestic violence: toward a differentiated approach to parenting plans' (2008) 46(3) Family Court Review 500.

Myth	Domestic and family violence is caused by things like alcohol or drug use, anger management issues or money problems
Fact	<div data-bbox="349 483 560 829">  </div> <p data-bbox="615 451 1442 667">The use of alcohol or drugs, anger management issues or money problems may be triggers for domestic and family violence, but they are not the cause. People who use violence often blame things like this for their violence. However, they are often still violent to the victim even if they are sober or when money is less of a problem.</p> <p data-bbox="615 703 1490 846">It is uncommon that anger management is the real issue. Often the person using violence will direct their anger at the victim, but is able to control their behaviour in front of friends, colleagues, other family members or strangers.</p> <p data-bbox="329 882 1490 989">This is because domestic and family violence is usually about power and control and not just anger. There are also many families where things like alcohol, drugs and money are problems but there is no domestic and family violence.</p>

Myth	Domestic and family violence is more common of a problem in “straight” relationships
Fact	<div data-bbox="341 1249 576 1596">  </div> <p data-bbox="615 1228 1490 1371">People who identify as lesbian, gay, bisexual, trans, intersex or queer (LGBTIQ+) experience domestic and family violence from a partner at similar rates as those who identify as heterosexual.</p> <p data-bbox="615 1407 1469 1476">LGBTIQ+ people may be less likely to identify behaviours as domestic and family violence or seek help.</p> <p data-bbox="615 1512 1485 1654">They can face additional barriers in reporting domestic and family violence because of heterosexual stereotypes and discrimination, and can experience unique forms of violence such as threats of being ‘outed’ to their work or family.</p>

While we have tried to make the information here as up-to-date and accurate as possible, the law is complex and always changing. All legal problems are different. You should see a lawyer to get advice about your problem. Legal Aid NSW, National Legal Aid and the Commonwealth Attorney-General’s Department are not liable for any errors or omissions, or for any loss or damage that arises from any person who relies on any information on this factsheet. This factsheet was developed in 2019.

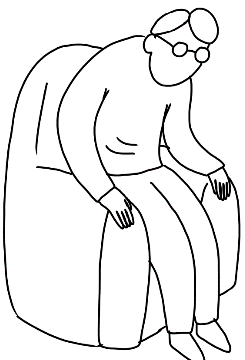



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Myth	Most elder abuse happens in nursing homes
Fact	 <p>Elder abuse is estimated to affect between 2 - 10% of older Australians. Adult children are the most common perpetrators.¹⁶</p> <p>The most common forms of elder abuse are psychological and emotional abuse and financial abuse.</p> <p>For example, adult children trying to take their elderly parent's money or home.</p>

Myth	Women with a disability are less likely to experience domestic and family violence
Fact	<p>People with a disability are twice as likely to experience physical or sexual violence by a partner, compared to people who do not have a disability,¹⁷ and often this violence goes unreported.¹⁸</p>  <p>Women with disabilities can experience forms of domestic and family violence that are particular to their increased dependency.</p> <p>They may face financial abuse, social abuse, reproductive abuse, or withholding of food, medication or disability support aids.</p> <p>Their experiences of violence also tend to occur over a longer period of time, and result in more serious injury than for women without a disability.¹⁹</p>

¹⁶ Rae Kaspiew, Rachel Carson and Helen Rhoades, [Elder abuse - Understanding issues, frameworks and responses](#), Research Report No. 35 — February 2016.

¹⁷ Lauren Krnjacki, Eric Emerson, Gwynnyth Llewellyn, Anne M. Kavanagh. [Prevalence and risk of violence against people with and without disabilities: findings from an Australian population-based study](#). Aust NZ J Public Health 2016, 40(1):16-21.

¹⁸ Plummer S & Findley P (2012) Women with disabilities' experience with physical and sexual abuse: review of the literature and implications for the field. Trauma, Violence and Abuse 13(1): 15-29.

¹⁹ Dowse L, Soldatic K, Didi A & van Toorn G (2013) [Stop the violence: addressing violence against women and girls with disabilities in Australia. Background Paper for the National Symposium on Violence against Women and Girls with Disabilities, Sydney, 25 October. Hobart: Women with Disabilities Australia.](#)

Myth	Domestic and family violence is a part of Aboriginal or Torres Strait Islander cultures
Fact	<p>It is important to acknowledge that domestic and family violence is not a traditional part of Aboriginal or Torres Strait Islander cultures.</p> <p>However, the history of colonisation, dispossession of land and culture, racism and the removal of children from their parents has created intergenerational grief and trauma. It has led to higher rates of poverty, unemployment, incarceration, substance abuse and social disadvantage among Aboriginal and Torres Strait Islander communities.</p> <p>The intersection of these complex factors with gender inequality means Aboriginal and Torres Strait Islander women experience higher rates and more severe forms of domestic and family violence compared to other women.²⁰</p> <div data-bbox="1182 457 1481 823" data-label="Image"> </div> <div data-bbox="324 1033 578 1402" data-label="Image"> </div> <p>Compared to other Australian women, Aboriginal and Torres Strait Islander women are 32 times more likely to be hospitalised as a result of domestic family violence,²¹ and twice as likely to be killed by an abusive partner.²²</p> <p>Research suggests that up to 90 per cent of violence experienced by Aboriginal and Torres Strait Islander people goes unreported.²³ Underreporting can be due to mistrust of police or other services, concerns over children being removed by child protection authorities, fear of imprisonment and racial discrimination. Underreporting is particularly common in remote areas, where there are a limited range of services and a lack of anonymity.²⁴</p>


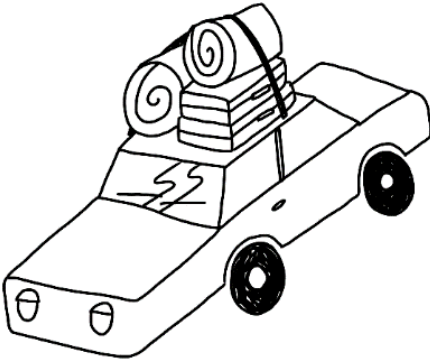
²⁰ Australian Institute of Health and Welfare 2018. Family, domestic and sexual violence in Australia 2018. Cat. no. FDV 2. Canberra: AIHW.

²¹ SCRGSP (Steering Committee for the Review of Government Service Provision) 2016, Overcoming Indigenous Disadvantage: Key Indicators 2016, Productivity Commission, Canberra, 4.103.

²² Willow Bryant and Samantha Bricknell 2017. Homicide in Australia 2012–13 to 2013–14: National Homicide Monitoring Program Report. Canberra: AIC.

²³ Willis M (2011) Non-disclosure of violence in Australian Indigenous communities. Trends and issues in crime and criminal justice 405. Canberra: Australian Institute of Criminology.

²⁴ Blagg H, Bluett-Boyd N & Williams E (2015). Innovative models in addressing violence against Indigenous women. State of knowledge paper. ANROWS Landscapes 08/2015.

Myth	If victims didn't like the abuse, they would leave
Fact	<p>No one wants to be abused or controlled. There are many complex reasons why a person may be unable to leave an abusive relationship.</p> <p>Many victims of domestic and family violence want to leave, but they can't because of things like:</p> <ul style="list-style-type: none"> • they are afraid • they fear it may make the violence worse • they don't have anywhere to go • they don't have money to support themselves or their children • they don't have friends or family to go to for help • they are worried about the safety of their children, family or pets • they don't trust the police or they are scared of going to the police for help • they are worried about what other people might think or they feel ashamed • they have experienced violence for so long that it feels normal • they think no one will believe them • they love the person who has used violence or want the relationship to work • they want to keep their family together for their children • cultural or religious reasons   <p>A person who uses violence may also use different intimidating and manipulative tactics to prevent a victim from leaving.</p> <p>Victims are most at risk when they try to leave or just after they leave the relationship.</p> <p>These barriers may be too big for a victim to ever overcome, or they may explain why some victims leave and return to an abusive relationship many times before they leave for good.</p>