Domestic Violence

AND YOUTH

- Specialist Domestic Violence Youth Practitioner
- Service area
- Why is a specialist practitioner necessary?

Legislation

 Domestic and Family Violence Protection Act 2012 (QLD) - Provides the legal framework for protecting victims and holding offenders accountable.

So what is Domestic and Family Violence?

- Domestic violence includes a wide range of behaviours that control or dominate someone or cause them to fear for their personal safety or wellbeing. These behaviours may include:
- physical or sexual abuse
- emotional or psychological abuse
- economic abuse
- threatening behaviour
- coercive behaviour
- Domestic violence extends to children seeing violence, like their parent being hurt, being called names, things being broken or police arriving.

VIOLENCE IS CONSIDERED DOMESTIC VIOLENCE WHEN ANY OF THE BEHAVIOURS LISTED PREVIOUSLY TAKE PLACE IN ANY OF THESE RELATIONSHIPS:

- an intimate personal relationship—two people (regardless of gender) who are, or were, a couple, engaged, married, in a de facto relationship, the parents of a child or in a registered relationship (a legally recognised relationship between two people regardless of gender)
- a family relationship—two relatives (by marriage or blood), including a child over 18, parent, stepchild, stepparent, brother, sister, grandparent, aunt, uncle, nephew or niece, as for some community groups, a person who is not related by blood or marriage but is considered a relative

- an informal care relationship—one person who is, or was, depending on another person for help with daily living activities. (Note: It is not considered 'domestic' violence when a person is a paid carer under a commercial arrangement.)
- A young person (under the age of 18) cannot apply for a domestic violence order against their parents, and vice versa.
- Young people can be respondents or aggrieved in DV applications

In youth DV matters:

- Focused on intimate personal relationships.
- Look at the YPs understanding of what an intimate personal relationship is.
- See SK (A Child) v Commissioner of Queensland Police & Anor [2023] QDC 65 for Morzone KC DCJ's discussion of relevant considerations in applications involving juvenile relationships (including what amounts to a "couple relationship") at [58]- [68].
- It is an objective test and indicates the court ought not rely upon subjective perceptions of how the parties themselves view, define or describe the relationship (how the young people view their relationship).

SK (A Child) v Commissioner of Queensland Police & Anor [2023] QDC 65

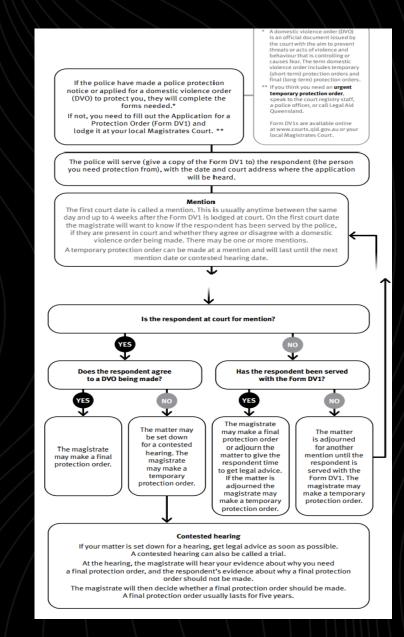
- [67] The evidence regarding the relationship at its highest falls well short of a mature, stable and enduring "couple relationship" within the meaning of s 18 of the Act. Those legislative hallmarks reflect a relationship that is well-established beyond mere dating; it entails mutual respect, trust, communication, shared experiences, a deep understanding of one another, spending time together, mutual support and commitment, emotional intimacy and mature physical intimacy, mature emotional intimacy and commitment to a future together. The information before the court is insufficient and inadequate evidence to establish the requisite degree of maturity in the relationship between the two children. There is a dearth of evidence of the degree and level of trust between the children, or the level of their interdependence and commitment to each other, or frequency of contact, or exclusivity. It can be assumed that there is no financial interdependence, or shared property ownership or bank accounts.
- [68] At best, the relationship between the children could be described as "puppy love" between two 12-year-old children characterised by childlike enchantment and naivety, with occasional, fleeting, and shallow emotional connection based on limited shared experiences, domination and immaturity.



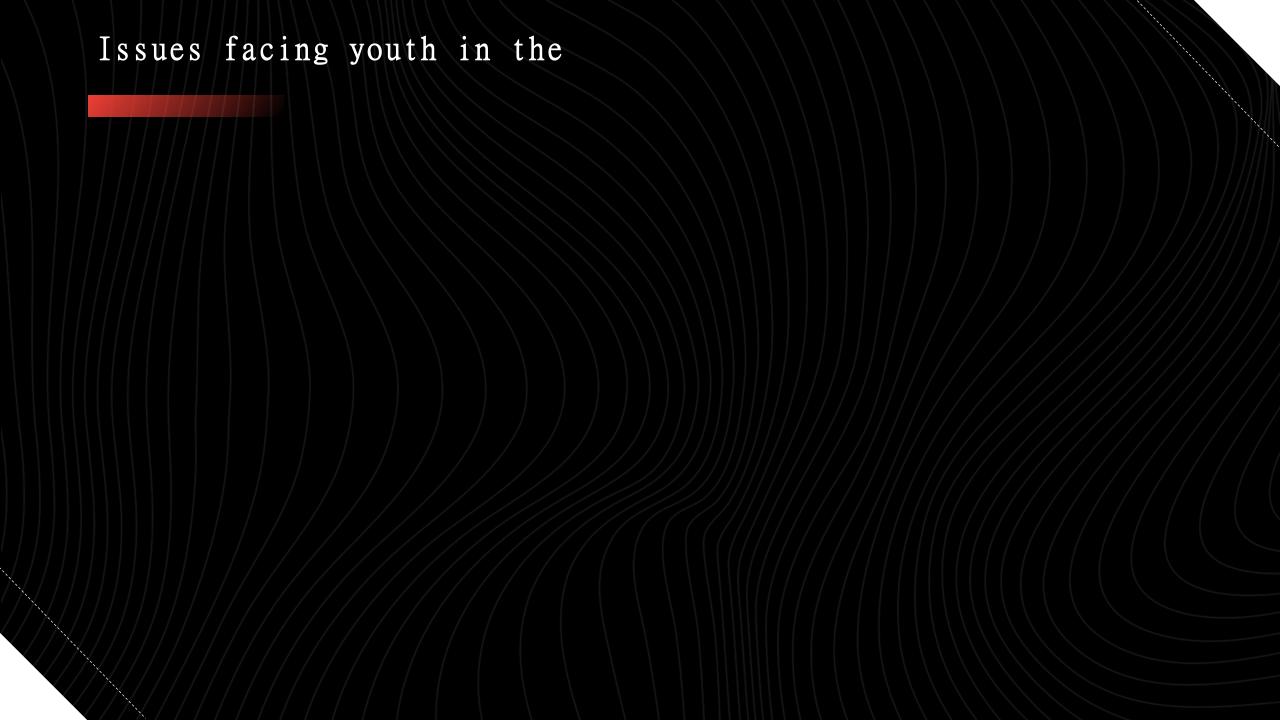
What is coercive control?

- Coercive control is when someone uses patterns of abusive behaviour against another person. Over time this creates fear and takes away the person's freedom and independence.
- NB: New laws in relation to coercive control: From 26 May 2025, **coercive control** will be a criminal offence in Queensland i.e. it will be illegal for an <u>adult</u> to use abusive behaviours towards their current, or former, intimate partner, family member, or informal (unpaid) carer with the intention to control or coerce them.
- While only people over the age of 18-years-old can be charged with the coercive control offence, it is still possible for people under 18-years-old to use abusive behaviours towards their current, or former, intimate partner, family member or informal (unpaid) carer with the intention to control or dominate them.

Domestic Violence application life cycle

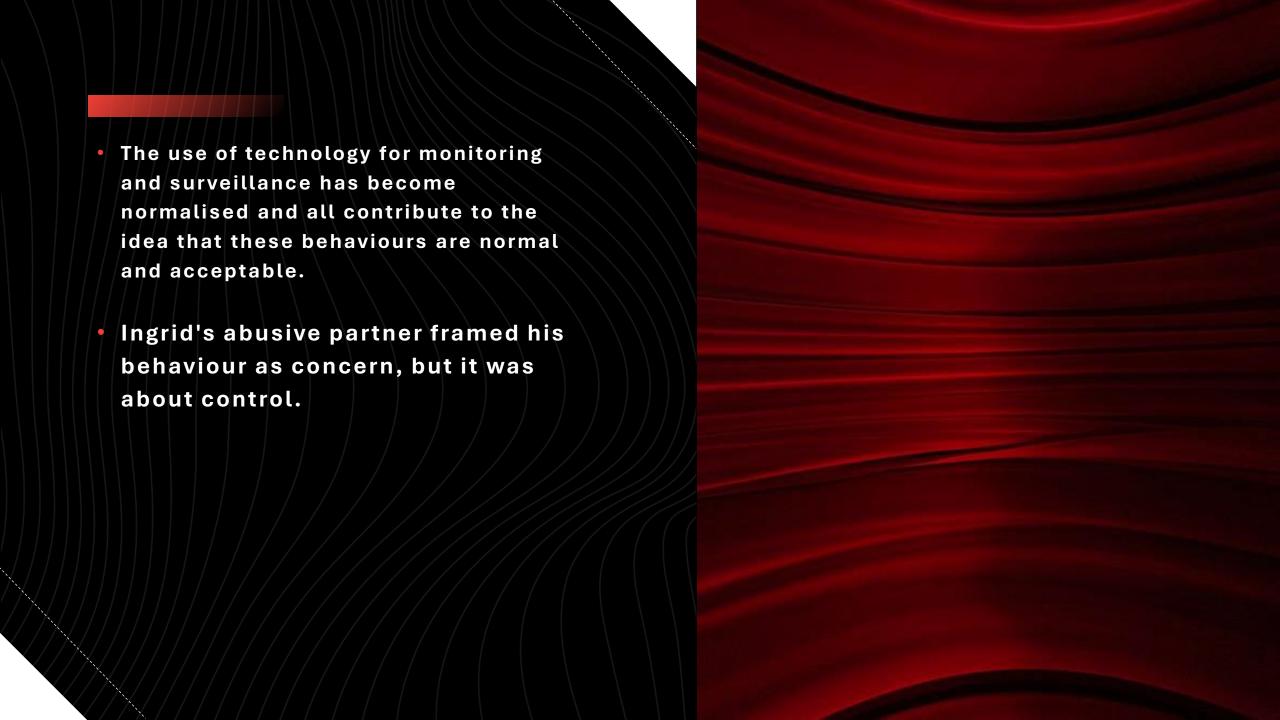


If the Respondent is a YP, their parents are also required to be served with a copy of the application.



Scenario 1.

- Ingrid* recalls when her partner would "stalk my Snapchat maps" to track her location.
 He'd also text her friends to ask about her if she didn't respond to his messages fast enough.
- "As he'd do that he'd say, 'I'm really sorry. I'm just really worried, I worry about you'," she says.
- Is there anything problematic about this behaviour?



Scenario 2

- When Maya and Jay started dating, it seemed amazing. At school, he was always bringing her
 presents and giving her so much attention. He'd constantly say things like, "I can't stop thinking
 about you", and "I can't imagine my life without you". It did seem a bit over the top.
- Lately, Jay has been wanting to know where Maya is all the time. One weekend, Maya and her friends were at a party and she posted a photo to her story. When Jay saw it he completely blew up, texting her things like "I told you to tell me when you go out", "why are you wearing that" and accusing her of cheating.
- Jay's been pressuring Maya to send nudes. He told her that it wasn't a big deal and that she would if she really loved him. Maya doesn't want to, but she's scared he will get mad or break up with her.
- Maya never hangs out with her old friends anymore because Jay doesn't like her seeing them.
- Jay's behaviour is an example of coercive control. There's no place for coercive control in a healthy relationship.

