

FAMILY VIOLENCE AND COVID-19

Being required to stay at home during COVID-19 has the potential to increase anxiety and stress of families, which may increase the risk of family violence and cause you to be unsafe in your home.

There is no excuse for family violence, regardless of the circumstances. While many family violence services are replacing face-to-face contact with telephone support, they are still operating and help is available for anyone feeling unsafe in their home.

What can I do if I'm feeling unsafe at home?

You should develop a safety plan, and seek the advice and assistance of family violence services (details below).

Developing a **safety plan** can help you have strategies in place so that you are prepared should family violence escalate and you need to leave:

- **If you are feeling unsafe you should dial '000'**. If you need an interpreter tell the operator your language and they will connect you to an interpreter.
- After calling 000 the operator will ask if you need police, fire or ambulance. **If it is not safe for you to talk, press '55'** and you will be connected to police. If you don't say anything they will send a police officer to the address associated with the telephone number.
- Pack a small emergency bag with essential clothes and toiletries for you and your children. If possible, leave the bag at a friend's house.
- Keep a spare set of keys and important papers like passports and birth certificates in a place that is easy to access quickly.
- Stay connected to friends and family by telephone and through social media and decide on a 'safe word' or signal to use to let them know that you need help.

More information on staying safe is available from **safe steps** Family Violence Response Centre [here](#).

Can I leave the house because of family violence?

The new COVID-19 laws allow people to engage in essential travel, which includes needing to leave the house because of family violence.

You are allowed to go to a police station to seek assistance, and they can provide you with an interpreter. If you need to seek refuge or other safe accommodation, you can leave the house to contact a family violence support service, such as **safe steps**.

If you have to move out of a rental property because of family violence, you may be able to apply to VCAT to terminate or vary your lease.



Hannah had to attend court for her application for a Family Violence Intervention Order against her ex-partner. She was very anxious about appearing in court without a lawyer. She was provided with the duty lawyers' phone number, and they were able to advise Hannah of her options, talk her through the court process, and help her prepare for her hearing. The lawyer was then able to communicate directly with the court about what Hannah was seeking, which meant that Hannah did not have to say much when her matter went into court and she had a positive outcome from the hearing.



How can the law keep me safe?

Police can arrest and charge somebody for committing family violence where it includes physical or sexual violence, stalking, threats, or damage to property.

You can also be kept safe by a **family violence intervention order**. An intervention order is a court order that means that a person cannot commit family violence against you and/or your children. The order can include a range of different conditions, and can allow people to still live together, or they can require them to not come within a certain distance of you or to not contact you.

Not obeying an intervention order is a crime, and the police can arrest them for not complying with the order.

Can I still get a Family Violence Intervention Order during COVID-19?

Yes, the courts are still open, and you can apply for an intervention order yourself, or the police can apply on your behalf.

Due to COVID-19, the courts have some alternative arrangements in place:

- You can apply online at fvio.mcv.vic.gov.au rather than needing to attend court.
- The court has introduced social distancing measures, and your matter may be heard over the phone, or using video conferencing.

Can I get help at Court?

Yes, duty lawyer services are continuing to operate remotely to provide legal advice and assistance to victim/survivors of family violence at court.

Northern Community Legal Centre is providing legal advice and assistance to victim/survivors of family violence at Broadmeadows Court over the phone. We can help you if you have made your own application, or if the police have made an application on your behalf. Phone: **(03) 9310 4376**.

I have an Interim Intervention Order. Do I have to go to court?

You should contact the court before the hearing date and find out from them whether or not you will be required to attend court.

If the court is not able to advise whether or not you need to attend, and you do not want to attend, you should seek legal advice before the hearing date.

Do I have to allow the other parent to see our children during COVID-19?

Northern Community Legal Centre has developed a factsheet on parenting arrangements during COVID-19 available [here](#).

Further Information:

- **Northern Community Legal Centre:** northernclc.org.au/covid-19-facts-and-info
- **safe steps** Family Violence Response Centre: safesteps.org.au/understanding-family-violence/seeking-safety-during-covid-19/
- **Magistrates' Court:** mcv.vic.gov.au/news-and-resources/news/your-questions-answered-during-covid-19

Support Services:

- Berry Street: (03) 9450 4700
- Safe Steps (7 days a week, 24 hours per day): 1800 015 188
- Kildonnann Uniting Family Violence Program: (03) 9302 6100
- Anglicare Broadmeadows: (03) 9301 5200
- 1800RESPECT (7 days a week, 24 hours per day): 1800 737 732 / 1800respect.org.au

Get Free Legal Advice!
Northern Community Legal Centre
(03) 9310 4376
admin@northernclc.org.au

Victoria Legal Aid
1300 792 387
Arabic: (03) 9269 0127

This document is not legal advice. This information is accurate as of 5 August 2020. You should seek legal advice before acting on the basis of this information.