

Safe at Home

Information for Family Violence Offenders

Sep 2015

The *Family Violence Act 2004* and *Safe at Home* program strengthened legal responses and introduced additional police resources to hold family violence offenders accountable for their behaviour. These include the following:

- Expanded arrest powers;
- Restrictions upon bail;
- Police Family Violence Orders and Family Violence Orders that can impose conditions and restraints upon a person's behaviour; and
- The Family Violence Offender Intervention Program.

Expanded Arrest Powers

Police can enter premises, conduct searches, seize weapons and evidence, and make arrests without a warrant in circumstances where they suspect family violence has occurred.

Restrictions Upon Bail

A person charged with a family violence offence will not be granted bail unless their release will not adversely affect the safety, wellbeing and interests of a victim or affected child.

Police Family Violence Orders and Family Violence Orders

Where police are satisfied that a person has committed, or is likely to commit, family violence they can make a **Police Family Violence Order** with respect to that person. Such an order can require the offender or alleged offender to move out of their current residence, not to enter certain premises, to surrender firearms, and to refrain from behaviour such as assault, harassment, and approaching or contacting people named in the order.

Magistrates can also make **Family Violence Orders** on the application of victims, police or any other person given permission to do so by the court. These orders can include orders to remove the offender's or alleged offender's name from a tenancy agreement. There are serious penalties for breaching such orders. (For further information on this subject refer to the information sheet *Controlling Family Violence – Police Family Violence Orders and Family Violence Orders*).

Family Violence Offender Intervention Program

The Family Violence Offender Intervention Program has been designed specifically for people who:

- have been charged by police with committing an act of violence towards an intimate partner by a heterosexual male 18 years or over;
- have appeared before a magistrate and been referred for assessment;
- are assessed as being at a high or extreme risk of committing another similar offence;
- are able to attend and participate in the program; and
- have been sentenced by a magistrate to attend.

The program is offered to groups of participants with individual and group activities to:

- identify triggers to violent behaviour;
- develop strategies in response to these thinking patterns; and
- learn skills to manage conflict.

The program facilitators meet regularly with staff from other services in *Safe at Home* to review participants' progress and ensure the safety of victims. Participants may be charged with a breaching offence for non-attendance or non-participation in the program and the magistrate may consider a review of their sentence.

Family Violence Offender Intervention Programs are offered in the South, the North and North-West of Tasmania

- children and young people do not show any of the behavioural or psychological reactions listed above. Their stories still need to be heard and their support networks strengthened. Each child's experience of family violence is unique to them, and responses need to be flexible to adjust to the different ways that family violence affects the child.
- All responses to children and young people who have experienced family violence need to take into account the realities of the child's world, and be sensitive to the way a child sees and makes sense of events and relationships.
- In all responses, the safety of the child must be given equal priority with the safety of other family members affected by family violence.

Organisation/Name	Services	Contact details or sites
EMERGENCY	Ask for police	000
Safe at Home	Information sheets	www.safeathome.tas.gov.au
Safe at Home	Family Violence Response and Referral Line	Ph: 1800 633 937

Safe at Home

Phone: (03) 6165 4988

Email: safeathome@justice.tas.gov.au

Web: www.safeathome.tas.gov.au

