



## Types of domestic violence

**Date: Monday February 8, 2021**

There have been several reports of escalations in domestic violence and family violence during COVID-19. [The Australian Institute of Criminology reports that almost one in 10 women in a relationship has experienced domestic violence during COVID-19.](#) Many members of the community still believe that domestic violence requires an element of physicality or physical harm towards another person. This is not actually the case and domestic violence can include economic abuse, emotional abuse, threatening behaviour and coercive behaviour.

In this blog, we will look at what behaviour constitutes domestic violence (including some examples), emotional and psychological abuse along with intimidating and harassing behaviour. We cover [economic abuse \(also referred to as financial abuse\) in this separate article.](#)

Domestic violence covers a wide range of behaviours by one person towards another with whom they are in a relevant relationship. You can read more about 'relevant relationships' in our blog ["Applying for domestic violence orders in Queensland"](#).

## What behaviour constitutes domestic violence?

Section 8 of the *Domestic and Family Violence Protection Act 2012 (Qld)* (**the Act**) defines what behaviour is considered domestic violence. It is behaviour that is:

- physically or sexually abusive; or
- emotionally or psychologically abusive; or
- economically abusive; or
- threatening; or

- coercive; or
- in any other way controls or dominates the second person and causes the second person to fear for his/her safety or wellbeing or for that of someone else.

## Examples of domestic violence

The Act further provides a non-exhaustive list of examples of behaviour which amount to domestic violence. These include:

- Causing or threatening to cause personal injury to someone;
- Coercing a person to engage in sexual activity or attempting to do so;
- Damaging or threatening to damage a person's property;
- Depriving a person of their liberty or threatening to do so;
- Threatening a person with the death or injury of the person, child of the person, or someone else;
- Threatening to commit suicide or self-harm so as to torment, intimidate or frighten the person to whom the behaviour is directed;
- Causing or threatening to cause the death of, or injury to, an animal, whether or not the animal belongs to the person to whom the behaviour is directed, so as to control, dominate or coerce the person;
- Unauthorised surveillance of a person; and
- Unlawfully stalking a person.

It is important to also note that a person who supports or procures a person to engage in domestic violence is taken to also have committed domestic violence.

Behaviour that constitutes domestic violence is so broad it is possible to see why many family law matters involve allegations of domestic violence, especially in the heat of separation.

For example, in the heat of separation one party may be devastated by the end of the relationship and just as he/she walks out the door they say words to the effect "*I might as well kill myself, life is not worth living anymore*". Expressing this could amount to an act of domestic violence as it is threatening to commit suicide so as to torment the victim.

## Emotional and psychological abuse can constitute domestic violence

Emotional and psychological abuse is behaviour by a person towards another that torments, intimidates, harasses or is offensive to the other person. Some examples of this behaviour include:

- Following a person when the person is out in public including by vehicle or on foot;
- Remaining outside their home or place of work;

- Repeatedly contacting them by telephone, SMS, email or social networking sites;
- Repeated derogatory taunts, including racial taunts;
- Threatening to disclose a person's sexual orientation without their consent;
- Threatening to withhold a person's medication; and
- Preventing a person from having contact with family and friends or preventing a person from expressing their cultural identity.

## Intimidating and/or harassing behaviour

Intimidation is a process where the aggrieved is made fearful or overawed, so much so that their behaviour is influenced.

Harassment involves repeated or persistent conduct which is annoying or distressing rather than something that would cause fear.

It is often unclear what is considered intimidating or harassing behaviour, and this may require a subjective assessment based on the individual circumstances in each case.

Behaviour which constitutes intimidation or harassment could include driving a vehicle in a way which is annoying and upsetting to the aggrieved because of concerns about their safety or deliberately standing close to an aggrieved while making a telephone call to prevent the aggrieved from having a private conversation.

## Urgent assistance to keep you safe

If your safety or that of your children is at imminent risk, call [000](tel:000) and, where possible, leave the premises and go to a safer place.

If you are experiencing domestic violence that puts your safety and/or the safety of your children at risk (physical, emotional or financial), you can contact DV Connect on [1800 811 811](tel:1800811811) for immediate assistance. They operate 24/7.

## Hall Payne no longer provides services in family law

If you require assistance with your family law matter, we recommend you contact the relevant Law Society in your State or Territory for a referral:

- Queensland:** [1300 367 757](tel:1300367757)
- NSW:** [02 9926 0333](tel:0299260333)
- Victoria:** [03 9607 9311](tel:0396079311)
- Tasmania:** [03 6234 4133](tel:0362344133)
- South Australia:** [08 8229 0200](tel:0882290200)
- Western Australia:** [08 9324 8600](tel:0893248600)

•Northern Territory: [08 8981 5104](tel:0889815104)

•ACT: [02 6274 0300](tel:0262740300)

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