

Quiz

Legal Frameworks Without Answers

AVERT
FAMILY VIOLENCE



**Collaborative Responses in
the Family Law System**



An Australian Government Initiative

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The Legal Frameworks Quiz – Without Answers

Purpose:

To provide the opportunity for participants to:

- Develop a basic understanding of family violence in relation to the law
- Share perceptions and understandings of family violence.

It is in no way intended to be used as a test but rather, as a way of facilitating conversation about participants' understanding of the issues.

Process:

The Quiz is divided into three sections:

- Section A – True or False
- Section B – Short Answers
- Section C – Longer, more complex answers.

All questions, unless stated otherwise, relate to Australia, and the Australian family law system.

The answers to the questions and sources of information are provided in the Facilitator's version of the quiz.



Section A – True or False?

1. In Australia there is no national legislation specifically targeting family and domestic violence.
 True False

2. There are eight separate and different state/territory legislative schemes which enable victims of family violence to obtain protection through the police and the courts.
 True False

3. State and Territory Protection Orders cannot be registered across borders within Australia.
 True False

4. Breaches of injunctions issued under the Commonwealth Family Law Act can be accompanied by arrest if the breach involves causing or threatening bodily harm, harassment, molesting or stalking.
 True False

5. Exposing children to family violence constitutes child abuse in some Australian states and territories.
 True False

6. The Family Law Act requires parents to inform the court of any relevant state or territory protection orders or child protection orders that are in place.
 True False

7. Under the Family Law Act, family dispute resolution must be considered before parties can apply to courts for family law determinations relating to children.
 True False



8. In Australia, there has been a strong reliance on criminal, legal responses to domestic violence rather than protection orders.

True False

9. All matters discussed in Family Dispute Resolution must remain confidential.

True False

10. Victim consent is necessary for a family violence criminal charge to be laid.

True False

11. Perpetrator programs can be mandated as a sentencing option, probation and parole condition or included as a condition on a protection order, in some jurisdictions or courts.

True False

12. Family violence in same sex relationships is not considered to be an offence under current Australian legislation.

True False



Section B – short answers

13. The Family Law Act contains a presumption of equal shared parental responsibility. Is family violence a potential ground for rebutting the presumption?

14. In which state/s or territories is it mandatory to report family violence that is perpetrated against an *adult*, to the police?

Supplementary question: what category of adult does this apply to?

15. Different states have their own requirements which mandate certain professionals to report risk of child abuse or neglect. Which states or territories place obligations to report on *the community generally?* (i.e. everyone).

16. Who is responsible for most protection order applications in most states and territories?



17. Which staff members in the family law system are obliged to report to welfare authorities when they have reasonable grounds for suspecting a child has been abused or is at risk of abuse?

18. What are some of the names protection orders are called?

19. What is a Form 4? What does it require? When should it be used?

20. What are ICLs, and what is their role?

21. What is the role of a Family Consultant?



Section C – longer, more complex answers

22. What is the Magellan program and in what circumstances is it used?

23. Give three reasons why protection orders may be ineffective

24. It has been observed that some perpetrators of family violence use the law to continue abuse, thereby leading victims to feel re-victimised by the legal system. How, in practice, might this occur?

25. Give three common reasons why victims often do not report family violence to the police:

In an Indigenous context, what additional reasons might there be?



29. What is a 'primary aggressor' and why has this distinction been suggested as being potentially useful by some family violence professionals and policy makers?

30. What are exclusion orders, what issue are they designed to address, and are they widely used?

31. What is the Family Law Act's '68R' power, and why might courts consider using it?
