



# Family abuse survivor speaks out about Police Family Violence Orders



By [Jess Flint](#)

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Picture from file.

When Anna\* was assaulted by her partner, she didn't expect the police response to be more traumatic than the assault.

She said that the police response was more harmful than the assault because they almost immediately identified her as the perpetrator of the violence. A Police Family Violence Order (PFVO) was issued against her after she admitted to damaging a wall in frustration.

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clear they weren't interested in listening to me," she said.

Chris, a specialist family and domestic violence practitioner, said she often encounters people who have been misidentified by police as the predominant aggressors.

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"It's obvious very quickly when a woman who comes to us has a history of being a victim-survivor of family violence," she said.

### **Misidentification in Tasmania**

*Engender Equality* released a report that explores the phenomenon of misidentification of predominant aggressors in Tasmania - put simply, this refers to incidents where a victim of abuse may be incorrectly identified as the perpetrator.

Contributing factors to misidentification may include instances where aggression was displayed as a response to abuse in retaliation, frustration, or self-defence.

The report noted that Tasmanian Police have the ability to issue on-the-spot PFVOs of up to 12 months. In other Australian jurisdictions, on-the-spot orders are temporary and last between 24 hours and 28 days.

Attorney-General Elise Archer said the authority that Tasmanian Police have to issue a PFVO is considered a strength of the "Safe at Home" initiative.

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 Attorney-General Elise Archer. Picture from file.

"Tasmania Police personnel receive training to reduce the risk of misidentification, and utilise this training and professional judgement when risk assessing a family violence incident," she said.

"However, I am always open to feedback on our laws and changes will be considered by the government if a need is identified."

Chris said she has mixed feelings about PFVOs in Tasmania. "It was brought in to keep victim-survivors safe. The purpose of those orders had a good intent, but there needs to be a review to see if that purpose is still being carried through".

She added that she believes the police need a more nuanced approach. "A woman might admit to hitting her aggressor, and if she's confused or distraught then she might not explain herself properly.

"I think what we need is for police to be able to have a nuanced approach in relation to discovering who the primary aggressor is – they need to take a little bit more time and ask a few more pointed questions in relation to what has happened".

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Anna said the current system is open to being manipulated by abusers. "When you have a system that is tough on crime and very punitive, but you invest very little in judicial oversight or investigation, that system is easily manipulated.

"It's a perfect weapon for coercive control," she said.

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"I believe family violence victims deserve a police response that is held in check by the courts."

### **Far-reaching effects**

*Engender Equality* CEO Alina Thomas said that being misidentified had far-reaching implications for victim-survivors.

"Women who have been misidentified may face criminal charges, poverty, removal of children, loss of reputation and employment and re-traumatisation through the system that is meant to be there to protect them.

"It is clear that the impacts are broad and far-reaching and influence the recovery of a victim-survivor in many ways."

Anna said it was distressing to be treated as a perpetrator by the system.

"I found it distressing that when I interacted with authorities, they were assuming I was a perpetrator without knowing anything about me".

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She said her PFVO has is permanently on the police database. "I have qualifications that could have led to a teaching job; I doubt I would be able to get a government job working with young people".

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Chris added that PFVOs should be issued as a last resort, "we know that a lot of women are in the care-giving professions, and they need to have vulnerable people checks and all those things.

"It really does impact on women's options in relation to moving on from the family violence and starting again."



Tasmania Police. Picture from file.

Assistant Commissioner specialist support Rob Blackwood said, "Tasmania Police has introduced new family violence refresher training.

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"This training is mandatory for all police officers at all ranks to ensure that their knowledge is not only contemporary, but to expand their awareness and skills to provide a best practice response," he said.

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Sergeant, or a police officer authorised by the Commissioner.

*\*Name has been changed for safety or legal reasons.*

- If you or someone you know is experiencing family violence, phone 1800 RESPECT.
- For men who have anger or relationship, help is available at the Men's Referral Service on 1300 766 491.

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