

DOMESTIC VIOLENCE



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Understanding Domestic Violence

What is domestic violence?

When persons are in a *domestic relationship*; and one party causes harm to the safety or health or well-being of, or may cause one party to feel threatened or fear harm being inflicted to the other party.

In the eyes of the law, what does it mean to be part of a 'Family'?

'Family' refers to:

- (a) married persons;
- (b) children of the spouse (born from the current marriage or from a previous marriage);
- (c) blood relatives and relatives of the spouse; or
- (d) from the persons sharing the same household, if there are persons who are being cared for and financially assisted by another person's financial assistance, then the person who provides the financial assistance and the corresponding dependents on such assistance will also be considered as family.

What does it mean to be in a domestic relationship? Who are the victims and abusers?

If you are in a relationship where:

- (a) you are married
- (b) both parties live together or recently lived together in the same home
- (c) you are a parent or guardian with the responsibility of raising a child
- (d) you are related to the person involved
- (e) you are a domestic child care worker
- (f) both parties are intimate – for legal purposes, the court will consider the nature of the relationship and how significant the relationship is with the person. This includes the amount of time spent together, the extent of personal matters

shared, the type of place where both persons spent time together and how long the relationship lasted

Who are the victims and abusers?

Persons involved in any of the relationships stated above can be an abuser or a victim to the other party in a relationship.

What type of acts amount to domestic abuse?

physical abuse	any act or threatened act of physical violence
sexual abuse	any type of abuses, including humiliating, degrading or violating sexual integrity
verbal and psychological abuse	degrading or humiliating a victim. including repeated insults, ridicule or name calling, constant threats to cause emotional pain.
causing financial or economical restrictions	Acts of obsessive possessiveness or jealousy, which is such as to constitute a serious invasion of the victim's privacy, liberty, integrity or security; includes the following: (1) the unreasonable deprivation of economic or financial resources to which a victim is entitled under law or which the victim requires out of necessity, including household necessities for the victim, and payment of rent or mortgage bond repayments in respect of the shared household; or (2) the unreasonable disposal of household effects or other property in which the victim has an interest.
intimidation	uttering or conveying a threat, or causing a victim to receive a threat, which induces fear

harassment	<p>means engaging in a pattern of conduct that induces the fear of harm to a victim, including:</p> <ol style="list-style-type: none"> (1) stalking and loitering outside of or near the building or place where the victim resides, or works, teaches, studies or happens to be; (2) bothering the victim by making telephone calls or inducing another person to make telephone calls to the victim; (3) bothering the victim by repeatedly sending letters, telegrams, packages, facsimiles, short message service (SMS) text messages, electronic mail, or other messages or objects to the victim;
stalking	<p>means repeatedly following the victim of domestic violence, going to places where the victim goes, harassing and bothering the victim;</p>
damage of property	<p>means the willful damaging or destruction of property belonging to a victim or in which the victim has a vested interest;</p>
	<p>impregnating the wife, without considering her health condition and against the advice of a medical doctor;</p> <p>impregnating a woman without her consent, while she is trying to get out of an abusive relationship;</p> <p>deliberately withholding property that belongs to another person in a manner that will prevent him from being able to use it;</p>

entry into, and staying at the home of a victim of domestic violence without consent, in cases where the parties do not share the same residence;

any other act which may be seen as an act of violence, or one of asserting control over the victim of domestic violence;

coercing, intimidating or forcing a person to do something which he would not have done or would not have wanted to do with his own volition;

confining a person to a particular place without his consent, or restricting a person's movement from one place to another on his own volition, or restricting a person's movement or transportation on his own volition;

attempting to commit any of the acts stated above, or causing apprehension of fear in a person that such an act may be committed;

causing a child to witness or hear an act of domestic violence or presenting or placing a child in such situation where the child may witness or hear an act of domestic violence.