

Damage to Property and Threatening Behaviour

What is damage to property?

Damaging a person's property is a type of family violence. Damage to property is where a person deliberately causes damage to property owned by their partner.

The word property is used to represent something owned by a person – it could be a car, a house, or furniture.

What is a threatening behaviour?

Threatening behaviour is a type of family violence.

Threatening behaviour is where one person, either by what they say or how they behave indicates an intention to carry out an action toward another person because of something that they may or may not have done. The action could be violent, or it could be an action that excludes the other person from something.

Is it illegal?

The Family Violence Act 2004 details the types of abuse that can be seen as family violence.

Making threats to another person, and damaging a person's property are both included in the Act.

What can it look like?

- A person punching a wall or door near where their partner is standing so that the partner is scared or intimidated.
- Sometimes the person might tell the partner that next time they won't miss – this is a threat to physically assault their partner next time.
- A person damaging their partner's personal items when the partner says they are going to leave the relationship.
- A person telling their partner that they will never see the children again if they leave the relationship.
- A person telling their partner that if they leave the relationship that they will not be entitled to anything in the property settlement.

- A person threatening to suicide if their partner leaves their relationship.

Case Study: Kylie and Jordan

Kylie and Jordan have been in a relationship for ten years. Back when they first got together, Jordan had once punched Kylie when she hadn't told Jordan that she would be late home from work. Jordan never said anything after that happened, but Kylie always made sure to arrive home on time after that day.

Jordan still got angry about other things, though. One day, Kylie asked him for some extra money to pay for the car to be serviced. Jordan accused Kylie of only wanting him for his money, and he punched a hole in the door that she was standing next to. Jordan told Kylie that it wouldn't be the door that was damaged if she asked for money again. When Kylie went to take the kids to school the next day, she found that the air had been let out of her tyres.

One weekend, Kylie took the kids and the dog out for a walk, and were still laughing and joking when they got home. Jordan wasn't happy that he had been left out of the joke. The next day, Kylie was calling for the dog, and Jordan told her not to bother – that maybe she should spend more time with him, and not with a stupid dog.

Kylie started to feel unsafe, and reached out to a friend to see if she and the kids could stay for a while. Jordan overheard the phone call, and told her that he would kill himself if she left. She was scared, so Kylie told Jordan that she would not go anywhere.

Kylie's friend messaged her the next day to say that Kylie and the kids couldn't come to stay after all. Her friend didn't mention it, but a rock had been thrown through her window the night before.

Contacts

- **In an emergency situation or if you are in immediate danger, call 000.**
- Family Violence Counselling and Support Service, phone 1800 608 122.
- 1800Respect, phone 1800 737 732.
- Women's Legal Service Tasmania can be contacted on **1800 682 468**.

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