

Supporting victim survivors of family violence with family

March 2023

Acknowledgement of Traditional Owners

Acknowledgement of Aboriginal and Torres Strait Islander peoples

Safe and Equal acknowledges Aboriginal and Torres Strait Islander peoples as the traditional and ongoing custodians of the lands on which we live and work. We pay respects to Elders past and present. We acknowledge that sovereignty has never been ceded and recognise First Nations peoples' rights to self-determination and continuing connections to land, waters, community and culture.

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About Safe and Equal

Safe and Equal is the peak body for specialist family violence services that provide support to victim survivors in Victoria. The interests of people experiencing, recovering from, or at risk of, family violence is at the heart of everything we do. Our vision is a world beyond family and gender-based violence, where women, children and people from marginalised communities are safe, thriving, and respected. We recognise the gendered nature of violence in our society, and the multiple intersecting forms of power and oppression which can compound the impacts of violence and limit people's access to services, support, and safety. We work closely and collaboratively with other organisations and support the leadership of victim survivors to amplify their voices and create change.

We provide specialist expertise across primary prevention, early intervention, response and recovery approaches and the inter-connections between them. Our work is focused on developing and advancing specialist practice for responding to victim survivors, building the capability of specialist family violence services and allied workforces, organisations and sectors that come into contact with victim-survivors; building the capabilities of workforces focused on primary prevention; and leading and contributing to the translation of evidence and research, practice expertise, and lived experience into safe and effective policy, system design and law reform.

We develop family violence practice and support workforces to ensure that victim survivors are safe, their rights are upheld, and their needs are met. The prevalence and impact of family and gender-based violence will be reduced because we are building a strong and effective workforce responding to victim survivors that can meet the needs of the community we serve, while also having a growing and impactful workforce working to prevent violence.

We work to strengthen and connect organisations, sectors, and systems to achieve safe and just outcomes for victim survivors irrespective of entry point, jurisdiction and individual circumstances. Joining efforts across prevention, response, and recovery we work to ensure the family violence system is informed and supported by a well-resourced and sustainable specialist sector. Our contributions to primary prevention workforces, initiatives and alliances contribute to social change for a safer and more respectful community.

We are building momentum for social change that drives meaningful action across institutions, settings, and systems for a safer and more equal society. Our workforce and practice development efforts are coupled with a partnership approach that builds community awareness and commitment to change. Our expertise and efforts enable citizens across the community to recognise and respond to family and gendered violence, hold perpetrators to account and support the ongoing recovery and empowerment of victim survivors.

We are a strong peak organisation providing sustainable and influential leadership to achieve our vision. The work we do and the way we work are integrated and align with our values. This is achieved through inclusive culture, and a safe and accessible workplace supported by robust systems and processes.

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Introduction

It is known that victim survivors experiencing family violence are often reluctant to report violence or leave an abusive relationship because they fear their family animals will be hurt or killed. It is also known that adults using family violence use threats and actual harm to family animals as a tactic of coercive control and to emotionally harm victim survivors.

In 2022, Family Safety Victoria funded Safe and Equal to undertake the Family Animals in Refuge Project in collaboration with refuge providers. The project aimed to increase the capacity of the refuge sector to accommodate family animals and support victim survivors escaping family violence with the care of their family animals, and as an outcome of the project the Family Animals in Refuge Guidelines were developed and released.

This resource represents an amended version of the Guidelines tailored for use by non-refuge service providers. The purpose of this resource is to share learnings from this project with other service providers (Providers) who are assisting victim survivors of family violence with family animals. This resource offers an opportunity for dialogue, reflection, and action to build on existing practices to support the safety, wellbeing and recovery of family animals and victim survivors.

The information put forward in this resource is not intended to be prescriptive. Providers can use the information to create their own policies and procedures tailored to their own operating environment and to compliment those already in place. Development of a sustainable system response to victim survivors and their family animals will take time, effort, and appropriate resourcing.

Terminology

The term victim-survivor is used throughout this document to refer to adults, young people and children who have experienced family violence.

The terms pet and companion animal are commonly used in legislation, policy, and practice. These terms have been replaced by family animal in this document to refer to any animal except an assistance dog. The [Equal Opportunity Act 2010](#) S. 4(1) defines assistance dog as a dog that is trained to perform tasks that help a person with a disability to reduce the effects of their disability.

The term family animal is preferred over pet and companion animal as these terms impact the view of how animals sit within a family and pet denotes ownership. The term family animal situates animals as family members and not as property and is in line with the current recommendations to review the *Family Violence Protection Act 2008* to identify any potential changes needed to strengthen the protection of animals in family violence situations.

Note: The terms used in this resource will be reviewed pending the outcomes of the legislative review.

Theory and Research

Animals and people experiencing family violence

There have been consistent research findings to suggest a strong link between animal cruelty and family violence (Ascione, 2000, Roguski, 2012). Findings from a survey conducted by DV NSW with workers engaged with victim survivors and adults using family violence highlighted the many types of violence perpetrated against family animals disclosed by victim survivors and adults using family violence, including threats to harm or kill, hitting, neglect, kicking, exposure to violence, verbal abuse and emotional abuse (Dam & McCaskill, 2020). The survey also highlighted the range of impacts of family animal abuse on victim survivors and their children including psychological harm, physical harm when they try to protect their family animals and financial costs of veterinary treatment (Dam & McCaskill, 2020).

'Hitting animals... traumatises children observing, victims of abuse and the animal themselves.'

– Talie (victim survivor)

(Dam & McCaskill, 2020, p40)

In the context of family violence, animal abuse is often a coercive tactic used by adults using family violence to; emotionally harm and control victim survivors; intimidate and manipulate victim survivors into compliance; silence victim survivors from disclosing the abuse; assert supremacy as the sole or primary object of affection; create an environment of fear within the home; stop victim survivors from leaving the relationship; or as retribution for leaving and coerce victim survivors into returning to the relationship (Jury et al, 2018, Roguski, 2012, Newberry, 2017). These behaviours exploit the strong emotional bonds victim survivors often hold for their animals. 'Abusers will target the animal to which the women or her children have the greatest emotional connection' (Walsh cited in Conroy, 2015, p35). Other research has shown that because of the strong emotional bond victim survivors have to their family animal 'witnessing an animal being harmed has a similar psychological impact to being harmed themselves' (Tiplady, Walsh & Phillips, 2015, p118). One study which interviewed children about their experiences of family animal abuse found that 'many children believed that threats and harm directed at pets aimed to create and maintain fear in the home, isolate the mother, and prevent or punish the mother's attempts to be independent or leave the relationship ... [and] as a form of punishment for undesirable behaviours' (McDonald et al, 2015, cited in Newberry, 2017, p4).

Australian research found that 'behavioural changes were reported in 85 per cent of the survey respondents' pets' (Conroy, 2015, p35). With family animals experiencing 'symptoms including fear of men and anxiety that persisted for the rest of the animal's life. As a result, these animals had a harder time integrating into a foster home, animal shelter or boarding kennel' (Conroy, 2015, p35).

The study also found that animals who experienced family violence 'suffered increased symptoms if they were subsequently separated from their family' (Conroy, 2015, p35).



Although not all adults using family violence abuse animals, there is research that shows adults who use family violence and who abuse animals are 'significantly more dangerous and engage in behaviours of greater severity and more varied in nature compared with those ... who do not abuse animals' (Coorey & Coorey-Ewings, 2018, p.8). One article stated that 'perpetrators who abuse animals are five times more likely to physically or sexually assault their partners' (Conroy, 2015, p34). Both the Family Violence Protection Act 2008 (Vic) and the Crimes Act 1958 (Vic) acknowledge that family violence can occur to an animal. The Multi-Agency Risk Assessment and Management Framework recognises the correlation of harm or threats to harm or kill family animals or other animals with an increased risk of the victim survivor being killed or almost killed.

Research conducted in Australia found that in 70% of family violence cases companion animals are present (Tong, cited in Dam & McCaskill, 2020). A Victorian study of 102 victim survivors found 52.9% of women entering a family violence refuge reported the adult using family violence had harmed or killed their family animals, and 46% of victim survivors received threats of harm to their animals (Volant et al, cited in RSPCA Tasmania, 2021).

Why family animals are so important

Animals can 'represent some of the most meaningful relationships in victim survivors' lives' (Jury et al, 2018, p5). Many regard family animals as their closest companions and consider them family, and the relationship can also resemble that of a parent and child (Labrecque & Walsh, 2011, Roguski,

2012). Some victim survivors have 'cited the relationship with their pets as the only remaining positive relationship they have' (Faver & Strand, cited in Jury et al, 2018, p6), and 'in some instances, their sole remaining reason for living' (Fitzgerald, 2007 cited in Jury et al, 2018, p6). Animals can have 'an especially close relationship with LGBTIQ people who are experiencing DFV and social isolation due to discrimination' (Taylor, Fraser & Riggs, cited in Dam and McCaskill, 2020, p26). Animals can also play an essential role in assisting and providing support to people with a disability (Howell, Bennett & Shiell, cited in Dam and McCaskill, 2020, p26). For older people, studies have shown that animals can 'fill a void for lost relationships and can transcend sensory deficits, mental changes and mobility restrictions that can impede human-human relationships' (Phillips, 2015, p10). For children and young people, family animals can be a constant in their lives, a source of strong attachment, comfort and stability, and provide feelings of safety and love (Dam and McCaskill, 2020).

Animals are often a source of emotional support and comfort for victim survivors, both adults, young people and children, while living with abuse and after separation. Animals can 'fill a specific role by providing a consistent, and relatively controllable sense of relationship security; for victims who do not feel a sense of security within their relationship, companion animals appear to fulfil an important role that the abuser does not' (Newberry, 2017, p21).

'My dog was a calming mechanism for both myself and for the children in the tense abusive situations we used to be in constantly. We would spend ten minutes cuddling him and everything would seem so much better.'

– Victim survivor

(Newberry, 2017, p11)

Studies show that animals support the physical and mental health of individuals, particularly during times of stress and trauma. In one study, it was shown that 'during stressful times, people can benefit more from a pet's companionship than from a human ... [and] some people see their pets as important sources of non-judgmental social support and significantly helpful in alleviating stress' (Allen, Blascovich, & Mendes, 2002 cited in Phillips 2015, p10). Other studies have shown that family animals 'reduce feelings of isolation and preventing suicide and self-harm' (Dam and McCaskill, 2020, p31). And separating animals and human victim survivors may create additional trauma, particularly for children and young people (Flynn, 2000).

'Having pets is very reassuring, provides motivation to get up and that the unconditional cuddles we receive from our pets are invaluable'

(Newberry, 2017, p19)

The connection between animals and victim survivors is often a key part to healing and recovery from abuse. 'The human-animal bond can facilitate healing, aid attachment, and provide a source of comfort to survivors and their children' (Sprinkle, cited in Animal Welfare Institute, 2014, p2). In

another study, '42% of 5-year old's spontaneously mentioned their pets when asked, "Whom do you turn to when you are feeling sad, angry, happy, or wanting to share a secret?" (Foer, cited in Animal Welfare Institute, 2014, p2). 'Animals, like children, can also provide a source of strength and motivation for victim-survivors to decide to leave a violent perpetrator' (Dam and McCaskill, 2020, p43).

Understanding the bond between animals and humans can support an understanding of the distress victim survivors often feel at the prospect of leaving animals with adults using family violence or being separated from their family animal, and how this may impact the choices they make around leaving or remaining in an abusive home or whether to enter refuge or crisis accommodation. Understanding this bond also highlights that the imperative to accommodate animals is not just about the safety of the animals, but about the safety, health and wellbeing of the humans connected to them.

Barriers to safety

Victim survivors with animals face specific barriers to reporting abuse and seeking justice, leaving abusive relationships, and accessing the support they need to enhance their safety. Taking an Intersectional Feminist approach, the concepts of intersectionality and speciesism helps explain the high risk to animals experiencing family violence, the lack of support available to them, and the lack of accountability for the family violence perpetrated against them' (Dam and McCaskill, 2020).

"I left once without my pet, but I had to go back because I worried so much about her and missed her. Then I found a way to take my pet with me and I left for good. "

– Victim survivor

(Animal Welfare Institute, 2014, p1)

Victim survivors are often reluctant to report violence or leave an abusive relationship because they fear their family animals will be hurt or killed by an adult using family violence. Abuse towards animals can delay and, in some cases, impede attempts to leave. One survey reported that 53% of victim survivors with animals 'did not leave the abuser when they wanted out of fear for a pet or farm animal's safety' (Jury et al, 2018 p19). Another survey showed that 42% of practitioners working with victim survivors said that victim survivors had 'delayed leaving a perpetrator for more than a year due to barriers to accessing support related to their animals' (Dam and McCaskill, 2020, p44). Victim survivors' deep affection for their animals and concern for their welfare often precludes exercising their own human autonomy to leave an unsafe situation. Many consider leaving without their animals as unimaginable. When an animal is registered in an adult who is using family violence's name it can create added barriers to a victim survivor leaving. And adults using family violence's use of abuse or threats to abuse an animal after separation may contribute to the victim survivor returning to the relationship due to concerns for the safety of their animal.

Victim survivors with animals also face considerable systemic barriers to accessing the support they need to leave a violent relationship and enhance their safety.

“Protecting our family pet was a priority for me and my children.

We found a way to do that and now we are healing together.”

– Victim survivor

(Animal Welfare Institute, 2014, p2)

Adults using family violence who harm animals are ‘rarely held accountable due to inadequate recognition of this issue by the justice and DFV response systems’ (Dam and McCaskill, 2020, p26). The lack of, or perceived lack of suitable animal friendly accommodation and the costs involved create huge barriers for victim survivors especially in times of crisis and when leaving an abusive relationship. This is true of private, public and emergency accommodation provided by the service sector and interim solutions such as boarding facilities. ‘For some, although the possibility of temporary care was raised, the prospect of separation was a significant enough deterrent that staying with the abuser was regarded as preferable’ (Jury et al, 2018, p19). This can be exacerbated for people living in regional and rural areas, due to the likelihood they have larger animals or a larger number of animals, and the even more limited or total lack of accommodation options for large animals. These systemic barriers related to family animals are compounded for victim survivors who already face significant barriers to accessing support, such as victim survivors with a disability, people from the LGBTIQ+ communities, Aboriginal and Torres Strait Islander people, and those from culturally and linguistically diverse communities.

The safety, wellbeing and dignity of animals and their human families are inextricably connected. As such there is an ethical imperative to addressing the barriers animals and victim survivors face to leaving abusive relationships and maintaining their connection to support safety, healing and recovery.

Supporting Victim Survivors with Family Animals

This section has information for professionals supporting victim survivors with family animals to assist victim survivors with the care of their family animals and support victim survivors and their family animals to maintain their connection to promote safety, healing and recovery.

Accessing refuge

Supporting a victim survivor with a family animal to understand the capacity of the refuge system to accommodate family animals will help them to make an informed decisions about whether accessing refuge will be part of their safety plan.

As the central coordination point for referrals to refuge (via the Victorian Family Violence Accommodation Register and in line with the Victorian family violence refuge eligibility and prioritisation framework) Safe Steps will work with victim survivors with family animals to provide crisis accommodation and appropriate placement into refuge.

The Family Animals in Refuge Project along with the phasing out of communal refuges and moving towards a 'core and cluster' model, has increased the capacity of the refuge system to accommodate victim survivor with family animals. For family animals to be housed on-site at a refuge, refuges must consider of a range of issues around the keeping of family animals, the physical structure and the living arrangements within the property, council regulations along with the safety, health and wellbeing of the family animals, victim survivors and staff.

And while accommodating family animals with their family is always preferred, this will not always be possible. In these instances, Safe Steps and refuge providers will work with victim survivors to arrange alternative accommodation for their family animals whilst transitioning through crisis accommodation and refuge.

Temporary accommodation for family animals

If a victim survivor requires temporary accommodation for their family animal, Providers should work with victim survivors to make these arrangements. This may be through family, friends, an animal welfare organisation or commercial boarding facility.

Establishing and maintaining relationships with external providers in your local area will be important to enable Providers to explore accommodation options with victim survivors and to facilitate a timely and more straightforward process when a need arises to make use of them.

There will be circumstances where there may be limited or no options, such as accommodating farm animals, during school holiday periods when boarding facilities are full, or when the costs are prohibitive. In these circumstances victim survivors will have to make difficult decisions. [Section 3.5](#) covers navigating conversations with victim survivors when they are separated from their family animals.

Commercial boarding facilities and animal welfare organisations require family animals to be up to date with their vaccinations and only admit them once the vaccine has become effective, usually seven to ten days. Some are flexible with this timeframe if they have isolation facilities or when the family animal has a history of being vaccinated but has missed their most recent vaccination. See also [section 3.7](#) Vaccinations.

If accommodating a family animal in a boarding facility or animal welfare organisation, it is recommended that the location be kept confidential to reduce the risk of an adult using family violence finding out. In these circumstances it is recommended that Providers liaise with external providers directly on behalf of their victim survivors. [Section 3.3](#) covers visitation of animals while in accommodation.

Visitation of animals while in temporary accommodation

Supporting victim survivors and their family animals to maintain their connection whilst a family animal is in temporary accommodation should be supported. Often separation from family animals can be traumatising for victim survivors and elicit feelings of powerlessness and loss. Where possible Providers should facilitate visitation of animals in accommodation or if this is not possible some mechanism for victim survivors to check on their family animal's wellbeing, such as requesting pictures or videos.

Logistics, safety issues as well as concerns for the family animal's welfare need to be considered and weighted against the benefits for both family animals and victim survivors when deciding if and how visitations are planned. Providers should liaise with the animal welfare organisations or boarding facilities on behalf of victim survivors to maintain confidentiality. Formalising regular visitation or a wellbeing update schedule through a case plan can help victim survivors and external providers to plan and manage expectations.

It is recommended that family animal visitation occurs in a separate location from their accommodation provider. To ensure the safety of victim survivors, family animals and third parties, safety planning should be conducted before finalising any arrangements including identifying a safe location and safe transport. It may also be necessary to discuss with victim survivors how they will feel when separated from their family animal after the visit and strategies for managing their wellbeing.

Expenses

The expenses relating to the care and accommodation of family animals victim survivors may require support with include:

- Boarding costs
- Material aid including food, bedding, cat litter and cages for transport
- Vet expenses and vaccinations
- Council registration
- Microchipping
- Transport

- Fixing damage to property by family animals
- Medications or parasite control (fleas and worms etc.). Note that these should only be provided to victim survivors if it has been recommended by a veterinarian in case an animal has an adverse side effect.

Brokerage is always a limited resource. Victim survivors should be supported to make an informed decision about how best to use the financial assistance they can access.

The following is a list of brokerage options that victim survivors may have access to. Providers may also be aware of other funding a victim survivors can access.

- Family violence Flexible Support Packages
- Family Violence Crisis Brokerage
- [RentAssist Bond Loan](#)
- [Escaping Violence Payment](#)
- [Red Cross Family and domestic violence financial assistance](#) for people on temporary visas.
- [Centrelink Crisis Payment](#)

Conversations with victim survivors when they are separated from their family animal

When a victim survivor is separated from their family animal such as when a family animal is unable to be accommodated with their family this may cause them distress. It is important for practitioners to approach these conversations sensitively.

It is important to recognise that for some victim survivors being separated from their family animal can be traumatic and trigger feelings of powerlessness and loss. For many victim survivors, family animals are family and an emotional support. For some, the prospect of being separated from their family animal is enough of a deterrent to consider remaining in, or returning to, an abusive relationship.

Suggestions for how to approach these conversations:

- Validate concerns and feelings.
- Acknowledge the importance of the family animal in the victim survivor's (adult, young person and children's) life.
- Acknowledge the limitations of the system.
- Offer to explore other options for family animals such as with family or friends or options for visitation of family animals when in accommodation. Focus on finding an alternative that is best for the family animal.
- Focus on the immediate importance of the safety of both the victim survivor and family animal and the temporary nature of the separation (it is recognised that in some situations the safety of family animals is not always possible and/or the separation temporary).
- If the family animal is with the adult using family violence, stress that it is not their fault and that the responsibility for harm caused to the family animal sits with the adult using family violence.
- Offer support from a grief and loss counsellor (see section [3.14 Counselling](#)).
- Recognise that Providers cannot have all the solutions and sometimes a victim survivor will decide to return to an abusive relationship or not enter refuge or crisis accommodation.

Self-care of practitioners is a priority. Practitioners should seek supervision/support to prepare for and debrief after a challenging conversation and know how to access their Employee Assistance Program.

Transport

When a victim survivor is unable to transport their family animal themselves, providing assistance with transportation will be required. This may occur when relocating, upon entering or exiting refuge or crisis accommodation or to and from an animal accommodation provider. Commercial passenger transport providers have a legal responsibility to transport passengers with their assistance animals. Transport options for non-assistance family animals include:

Taxi

Mainstream taxi companies will sometimes allow family animals to travel, however, this is at the company and driver's discretion.

Rideshare

Rideshare operators like Uber and Shehba allow family animals to accompany their family. Further information about how to request a ride with family animals, conditions of travel and surcharges, can be found here [Uber](#), [Shehba](#).

Pet transport companies

Specific pet transport companies operate in different parts of Victoria.

Public transport

The rules stating whether family animals are permitted on board public transport differs between each state. South Australia and the Northern Territory do not allow pets on public transport. Information on other states can be found here: [Victoria](#), [NSW](#), [ACT](#), [Queensland](#) and [Western Australia](#).

Coach

The three main coach companies operating in Australia, Greyhound, Firefly Express and Premier Motor Service do not allow animals on their coaches.

Aircraft

Animals usually travel in a special area in the hold of a passenger aircraft and were permitted by the airline they can also travel in the cabin alongside a family member.

According to the Civil Aviation Safety Authority, Australian passengers are able to travel with their family animals alongside them in aircraft cabins. However, compliance with this safety law

is at the discretion of airlines. At the time of writing these Guidelines, [Qantas](#) was accepting accompanied animals in aeroplane cabins, and Jetstar, Virgin and Rex were not accepting family animals in aeroplane cabins.

Animals can travel in a special area in the hold of a passenger aircraft where the temperature and noise are similar to those experienced in the cabin.

Further information about making and managing a booking, requirements for transporting Brachycephalic breeds and other relevant conditions for travel, can be found here [Qantas](#), [Rex](#), [Jetstar](#), [Virgin](#).

The [Code of Practice for the Private Keeping of Cats](#) and the [Code of Practice for the Private Keeping of Dogs](#) made under the provisions of the *Prevention of Cruelty to Animals Act 1986* (Vic) and the *Domestic Animals Act 1994* (Vic) by the Agriculture Victoria includes guidance on safe transport for cats and dogs.

Vaccinations

Vaccinations and parasite control (such as fleas and worms) are an important part of caring for a family animal as they prevent or reduce the severity and spread of infectious diseases.

Vaccines in Victoria are available for dogs, cats, rabbits, ferrets and horses. It is best practice to engage a veterinarian to provide advice about which vaccines and parasite control are most appropriate. Information about recommended vaccinations and parasite control for different animals can be found in the [Codes of Practices](#) and guidelines set out by Agriculture Victoria.

The [Code of Practice for the Management of Dogs and Cats in Shelters and Pounds](#) require dogs and cats to be vaccinated to cover a range of diseases. Vaccines generally become effective in seven to ten days. Commercial boarding facilities and animal welfare organisations require family animals to be up to date with their vaccinations and only admit them once the vaccine has become effective. However, those with isolation facilities or if the family animal has a history of being vaccinated but has missed their most recent vaccination may be flexible with admission.

Microchipping and licences

A microchip provides a permanent form of identification which can reunite owners with family animals. Under the [Domestic Animals Act 1994](#) all dogs and cats over three months of age are required to be microchipped and recorded on a Victorian licenced registry. Under Victorian law, you are not required to microchip a horse, however owners can choose to do so and have this recorded on a Victorian licensed registry. Microchipping is also recommended by Agriculture Victoria for rabbits as a precaution should the rabbit escape.

You must have a licence from the Department of Environment, Land, Water and Planning to keep most species of frogs and reptiles in captivity. Further information about licences can be found on the Agriculture Victoria website, [Caring for your family animal Amphibian](#) or [Caring for your family animal reptile](#).

Owners can have their family animals microchipped at a vet clinic or another authorised implanter. Owners will need a source code to have their animal microchipped, further information can be found [here](#). Domestic animal (microchip) registries are licenced to hold the records for cats, dogs and horses microchipped in Victoria. A list of registries that are licensed to provide domestic animal registry services in Victoria can be found [here](#)

Registries hold the following information about the owner:

- Owner details
- Phone number
- Owner address
- Email address

Information on the microchip registry can only be accessed:

- By the authorised implanter
- By the owner of the animal
- By certain authorised government employees
- Only if the owner has given consent.

Updating owner details on the microchip registry

To support family animals being reunited with victim survivors if they become lost, it is recommended the owner details on the registry are updated soon after relocating.

If a victim survivor is not recorded as the owner on a registry, changing the recorded owner requires the consent of the person whose is currently registered. While this is unlikely to be a safe option, Registers can contact the previous owner to gain their consent. Registers can also change the owner details if provided with a court order that designates ownership and custody of the family animal to a victim survivor (see [section 3.10](#) Legal Matters).

Animal registration

Animal registration is a legal requirement under the [Domestic Animals Act 1994](#) and requires all dogs and cats over three months of age to be registered with their local council. When a lost animal is found by council, they are scanned to see what council the animal has been registered at and to are reunited with the owner as registered with the council. All cats and dogs must be microchipped before registration, see [section 3.8](#) Microchipping and licences. If a family animal is microchipped, this does not mean that it is registered with council. Family animal registration must be completed in addition to microchipping.

Registration fees are set by each local council and vary depending on several factors. Yearly registrations are issued from 10th April each year. Owners may be eligible for a reduced registration fee, including for family animals that are desexed, over the age of 10 years or if they are obedience trained. Upon registration the council issues a certificate of registration.

Registration with Council

To register a domestic animal with a council, the owner must be over the age of 18. To complete the form, the owner will need:

- Details of the animal
- Proof of the animal's microchip number.
- Proof of the animal's desexing from a qualified vet (if registering as desexed).

If a victim survivor is not the owner of the animal on a microchip registry, they cannot be registered with a council under a different owner, see [section 3.10](#) Legal Matters for change of ownership options.

Councils expect a change of registration to be undertaken as soon as possible after relocating and when residing in short term accommodation so the animal can be reunited with their owner if lost.

When exiting refuge or crisis accommodation, if the victim survivor's new address is still within the same council, they can submit an animal registration record update with the council.

Change of Council area

To change a registration between council areas the owner needs to:

Cancel the family animal's registration in the previous council and request proof of family animal registration (if owner does not have access to this).

Contact the current local council to organise a registration transfer.

Most councils have reciprocal agreements in place for registration fees to be waved for the remainder of the year if they have been registered with another council.

Legal Matters

Common legal issues that may arise relating to family animals are protections provisions through Family Violence Intervention Orders (FVIO) and ownership or custody. Please note, the information below is general advice only. Victim survivors should seek legal advice in relation to any legal matters.

Note

The advice in this section may change as a result of outcomes of the motion brought forward by The Animal Justice Party. Part of this motion was for a review of the Family Violence Protection Act 2008 and other relevant legislations to develop any necessary amendments to recognise that companion animals are affected by family violence and require protection and to develop policy options to enable the family's companion animals to be placed in the care of either the victim survivor or other appropriate carers to protect the best interest of the animal.

Protections for family animals in FVIO

According to the *Family Violence Protection Act* (2008), family violence includes ‘causing or threatening to cause the death of, or injury to, an animal, whether or not the animal belongs to the family member to whom the behaviour is directed so as to control, dominate or coerce the family member’ (s5).

As such FVIO includes protections for family animals through the conditions that prohibits the respondent from committing family violence, however there are no standard conditions in FVIOs which relate to specific protections of family animals.

Ownership or custody of a family animal

Under the *Family Violence Protection Act 2008*, family animals can be treated as personal property in relation to Section 86 (Conditions about personal property).

As such FVIO’s can provide a legislative pathway to have family animals remain with the victim survivors through including the following conditions on an order. These conditions can be included irrespective of proof of ownership.

Directing the adult using family violence to return a family animal to the care of a victim survivor.

Directing the microchip registration of a family animal to be transferred into a victim survivors name.

Directing the council registration of a family animal to be transferred into a victim survivors name.

If proof of ownership is requested in relation to a FVIO or Family Court matter, here are a few avenues to help demonstrate ownership:

If there is a FVIO order, divorce/separation order or other court order that designates ownership and custody of the family animal. Some initial separation orders prohibit the parties from moving any family member or assets (which could include family animals) until final settlement.

Evidence the victim survivor is listed as the owner on licensing, microchip or registration paperwork. Also see [section 3.08](#) Microchipping and Licences.

Evidence of family animal ownership and care. For example, an adoption or purchase of sale, veterinary records listing victim survivors as the primary carer and/or individual who paid veterinary bills. This information helps demonstrate who the primary caretaker of the family animal was.

Housing

When supporting a victim survivor to secure housing with their family animals, supporting them to understanding a tenant’s right to keep a family animal in a property under the *Residential Tenancies Act 1997* and the number and types of animals permitted to be kept on a property under a Council’s Local Laws will be helpful.

Residential Tenancies Act 1997 (RTA)

The RTA amended on 2nd March 2020 allows tenants, including public housing tenants, to keep a family animal at a rented premises provided they obtain the written permission of a landlord. Landlords must not unreasonably refuse to consent to keep a family animal on rented premises. Refusal of a request for the family animal is managed through the Victorian Civil and Administrative Tribunal.

'The Director of Housing (Director) is a social landlord. In making decisions on behalf of the Director, the Department of Families, Fairness and Housing (department) has obligations beyond just tenancy management and should contribute to renter wellbeing. The department accepts that renters may have pets that contribute to renter wellbeing' ([Pets in Public Housing Operational Guidelines](#), 2020, p5). The department generally allows tenants to keep pets at rented properties upon receiving a request from a tenant to keep a pet.

Any tenancy existing prior to 2 March 2020 is exempt from the new pet provisions in the RTA, as the amendment will not apply retrospectively for current pets. The new laws will only apply for these tenancies if a new pet is introduced to the household from that date.

The RTA does not apply to a residential rental agreement or room if the rented premises or room are provided as temporary crisis accommodation (s22).

For more information about keeping family animals in a public housing property, contact your [local housing office](#). You will also find information about keeping family animals in private rental on the [Consumer Affairs Victoria](#) website.

Council Local Laws

Council *Local Laws* relating to animals are made under the *Local Government Act 1989* (Vic), *Domestic Animals Act 1994* (Vic) and the *Prevention of Cruelty to Animals Act 1986*. *Local Laws* aim to provide for the responsible care and management of animals within the municipality. Local Laws include regulations around the keeping of animals and regulating the number and types of animals that may be kept on a property. The number and type of animals permitted varies between local councils and sometimes within a municipality depending on a range of factors including property size, zoning of the property (residential, commercial or rural) and property type (house, unit). These regulations are in place for animals permanently living at and registered at a property.

If a resident wants to keep more than the number of allowed animals, they can apply for a permit. A permit application needs to be lodged before the additional animal/s resides at the property and is only applicable to the animal/s that will be then registered at the property.

There are some animals that council's do not allow to be kept such as horses and farm animals. However, some council's will allow these in exceptional circumstances.

Retrieving a family animal

Given the inherent safety concerns victim survivors face returning to a previous home to retrieve a family animal, Providers should work with victim survivors around options for retrieving their family animal safely if required. This may be through liaising with Victoria Police, safety planning if returning

to the property themselves, exploring options with family or friends and consulting with the [RSPCA](#) who may be able to investigate when there are welfare concerns of an animal. Decisions as to whether a victim survivor can safely retrieve their family animals should ultimately rest with the victim survivor.

Safety planning

Abuse towards family animals requires an additional dimension of safety planning to be undertaken.

Conversations with victim survivors to support the safety of family animals can include the following:

- Asking about their concerns for their family animal's safety.
- Asking about previous experiences when their family animal has been abused.
- Considering whether concerns for a family animal's safety will prevent them from leaving the relationship or seeking support.
- Asking whether the adult using family violence has used their love for their family animal as a way of controlling and manipulating them.
- Strategies for keeping their family animal's safe:
 - Plan for how to leave safely with their family animals.
 - Plan for how to seek a safe place for the family animals when the adult using family violence's behaviour starts to escalate.
- Keep documents relating to their family animal in a safe place or with a safe family member or friend, such as proof of ownership and veterinary records.
- Have a plan for what items they could take for their family animals for when they need to leave, such as medication, leash, carrier, toy, food, and look at options for having these items in a safe place or with a safe family member or friend.
- Keep records of incidents when a family animal is threatened or abused and consider when they may want to report the abuse to the police or the RSPCA.
- Consider placing their family animal with a friend, family member or animal welfare organisation for the family animal's safety.
- Plan for how to manage their and their children's emotions when they witness their family animal being abused.
- If maintaining a low profile consider keeping family animals indoors (if possible), picking a safe route and time to walk a dog and changing veterinarian practices.
- Strategies for keeping a family animal safe when relocating or while at refuge or crisis accommodation:
 - To maintain a low profile, consider a safe route and time to walk a dog.
- Update microchip and council registration in case an animal becomes lost.

Counselling

Witnessing a family animal being abused or killed by an adult using family violence or leaving a family animal behind can cause significant trauma and psychological harm to both adults and children. Victim survivors who are temporarily separated from their family animals may also need mental health support.

Providers can offer victim survivors access to appropriate counselling through usual referral pathways and provide information about telephone counselling services (particularly during after-hours). Providers can also consider if specialist animal grief and loss counselling is appropriate. The following services provide animal grief and loss counselling:

[GriefLine](#) – a free National telephone grief counselling service, including for the loss of a beloved animal.

[Pets and People](#) – a service which can connect people with a counsellor to support family animal loss. Note this is not a crisis service and provides referrals only. Individual counsellors will set their own costs.

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