



The Hidden Victims: Animals in the Family Violence and Family Law Systems



The safety and wellbeing of animals and people are deeply interconnected. Animals offer comfort, protection, and unconditional love. Yet, in the context of family violence, they are highly vulnerable to abuse and often used as tools of control. Recognising the link between family violence and animal abuse can save lives. Protecting animals also protects people, especially women and children. Continued advocacy is essential to ensure animals are consistently protected across all systems.



How Perpetrators Use Animals in Abuse

Perpetrators may use animals to **intimidate, control, or punish** victim-survivors. Examples include:

- Intimidation:** harming or threatening an animal to demonstrate power
- Threats and manipulation:** Using animal harm to force a person to stay or return to them
- Sexual abuse:** forcing sexual acts involving animals
- Child abuse:** coercing a child to harm a beloved animal
- Emotional / physical abuse:** harming or killing an animal to cause distress
- Financial abuse:** withholding money for food or veterinary care
- Systems abuse:** exploiting laws and systems to make it difficult for a person to keep an animal
- Women in **rural and remote areas** face additional risks when farmed animals are both companions and livelihood.

Family Violence Law Protections Across States and Territories

Across Australia, animal abuse is increasingly recognised within domestic and family violence (DFV) laws.

Northern Territory (NT): Domestic and Family Violence Act 2007 and Animal Protection Act 2018 include **animal cruelty** as a relevant factor in DFV cases.

Western Australia (WA): Restraining Orders Act 1997 includes **causing death or injury** to an animal belonging to a family member as grounds for a protection order.

South Australia (SA): Intervention Orders (Prevention of Abuse) Act 2009 treats **harm to animals** as **psychological abuse**. Animals can be protected as property under orders.

Tasmania (TAS): Family Violence Act 2004, amended by the Protecting People and Their Pets Act 2024, explicitly includes **harm, neglect, or threats to animals used to intimidate, coerce, or control a partner**.



Queensland (QLD): Domestic and Family Violence Protection Act 2012 recognises **intentional harm or threats** to animals as family violence. Protection orders may indirectly protect animals as property.

New South Wales (NSW): Crimes (Domestic and Personal Violence) Act 2007 defines **intimidation** to include **harm to an animal** associated with the victim. Protection orders automatically extend to animals.

Australian Capital Territory (ACT): Family Violence Act 2016 includes **harm or threats** to animals.

Victoria (VIC): Family Violence Protection Act 2008 explicitly includes **harming or threatening** an animal, even if the animal is not owned by the victim.

Recommendations for practitioners

Asking the right questions can reveal hidden risks and support safety for both people and animals.

- Screen for experiences of violence against animals during **intake** and risk assessments.
- Include animal safety in **risk assessments and safety plans**, considering different species or needs.
- When safety planning consider asking if the person using violence has:**
 - Sexually abused or threatened to sexually abuse a pet or animal
 - Harmed or threatened to harm a native animal
 - Forced the client or family member to harm an animal
 - Withheld money to care for the animal
 - Intentionally neglected an animal

Remember: Victim-survivors often fear losing their animal if they report abuse.

For more suggestions on intake and risk assessment visit: lucysproject.com/education

Family Law Act Amendments

In June 2025, the Family Law Act 1975 was amended to include a list of factors the court must consider when making orders about companion animals.

- Defines “companion animal” as one kept mainly for companionship, not for assistance, agriculture, business or research.
- Courts may assign or transfer ownership or order sale of an animal.
- The Court must consider factors such as:
 - Who **owned, cared for, or paid for** the animal
 - The **bond** between the person or children and animal
 - Any **history of violence** or animal abuse
 - Each person’s **ability to care** for the animal