

## Factors affecting risk - Other Bench Books

### NSW

**Judicial Commission of NSW, [Equality before the Law: Bench Book \(2022\)](#).**

[7.5.1] notes that ‘statistically, the most dangerous time for a woman in a violent relationship is at separation or after leaving the relationship’.

### QLD

**Magistrates Court of Queensland, [Domestic and Family Violence Protection Act 2012 Bench Book \(2021\)](#).**

This bench book does not discuss contextual information around risk factors for domestic and family violence, however it draws on case law to detail the assessment of risk in determining, for example: whether the test that a protection order is ‘necessary or desirable’ has been met, including assessing the risk of future domestic violence (Chapter 7); whether a protection order should be extended (Chapter 10); and whether it is appropriate for information to be shared between agencies (Chapter 18).

### Vic

**Judicial College of Victoria, [Family Violence Bench Book \(2014\)](#).**

5.2.5 discusses risk indicators for family violence. See also additional guidance under 1.1 – [Common Risk Assessment Framework](#).

### WA

**Western Australia Department of Justice, [Equal Justice Bench Book, Family and Domestic Violence \(2nd edition September 2021\)](#).**

This Bench Book discusses different risk factors in domestic and family violence contexts specifically for the following groups:

- > women [13.2.4]
- > children [13.3.3]
- > men [13.4.3]
- > Aboriginal people [13.5.2]

However, the assessment of risk in this Bench Book fits more relevantly into the ‘vulnerable groups’ section

of this National Bench Book.

## Canada

**Neilson, Linda C, *Domestic Violence Electronic Bench Book* (National Judicial Institute, 2020).**

Section 7.2.1: Alcohol and drug rationalization notes that: '[w]hile heightened risk of domestic violence and of attendant bodily injury is associated with perpetrators' heavy alcohol consumption and drug use, and alcohol or drugs are often blamed for domestic violence, experts agree that drugs and alcohol are more a rationalization than a cause'.

Section 8.8: Responding to risk (the likelihood domestic violence will continue) which notes the following relevant risk factors:

- > Controlling behaviours;
- > Substance abuse;
- > Assault during pregnancy;
- > Access to guns;
- > Separation;
- > Presence of step-children;
- > Strangulation;
- > Threat of suicide;
- > Stalking;
- > Controlling behaviour.

Also see Section 8.9: What is Risk Assessment?, which discusses tools for assessing risk and their validity and use.