

Useful Contacts**Legal Aid**

General Enquiries

02 6243 3411

Free Helpline

1300 654 314

2 Allsop Street Canberra

GPO Box 512 Canberra 2601

ACT Magistrates Court

4 Knowles Pl, Canberra

Family Court

Cnr University Ave &

Childers Street Canberra

ACT Legal Aid Domestic Violence and Personal Protection Orders Unit

ACT Magistrates Court

Ground floor, Knowles

Place Civic

Domestic Violence Crisis Service:

(02) 6280 0900

(7 days / 24 hours)

Complaints & Suggestions

If you have any complaints or suggestions about our services, please write to the Chief Executive Officer at our postal address.

Interpreter

If you need an interpreter, please contact Translating and Interpreting Service (TIS) on 131 450.

 Like us on Facebook for more information:

<http://www.facebook.com/legalaidact>

What are Domestic Violence Orders (DVO) and Personal Protection Orders (PPO)?

DVOs and PPOs are orders made by the Court to protect a person (the applicant) from future assaults, threats of violence, property damage, stalking, acts of indecency, harassment and offensive conduct by another person (the respondent). They protect the applicant by ordering the respondent not to engage in conduct that amounts to domestic or personal violence. If the respondent breaches an order, the penalty is up to \$75,000 and/or 5 years imprisonment

When can I apply for an order?**You can apply for a DVO if:**

1. a person you:
 - live with or used to live with;
 - are related to by marriage;
 - are related to by blood; or
 - were or are in a domestic relationship with
2. has engaged in any of the following acts against you or another relevant person like your child or relative:
 - physical or personal injury
 - sexual assault
 - stalking or acts of indecency
 - damage to your property
 - trespass or burglary
 - negligent, reckless or culpable driving
 - harassment or offensive conduct
 - violence directed at your pet, or
 - threats of any of the above.

The order can also include your children.

You can apply for a PPO if:

1. a person you are not related to and have not lived with such as a neighbour or workmate
2. has engaged in any of the following against you:
 - personal injury or damage to property
 - threats of either of the above
 - harassing and offensive behavior.

How do I apply for a DVO or PPO?

Get an application form from the Magistrates Court registry. Lodge the application between 9.00am and 11.30am Monday to Friday. Only *urgent applications* will be accepted after 11.30am.

For advice, information and assistance with the application see the Legal Aid Domestic Violence and Personal Protection Orders Unit located at the Court.

Urgent Orders

Urgent interim orders are made if there is an *immediate* risk to personal safety. They are made on a temporary basis and only the evidence of the applicant is necessary.

This order will come into effect as soon as the police give a copy to the respondent. It will usually operate until the matter is resolved on a final basis.

If the respondent objects to the urgent order that was made in their absence, they *must* tell the court at least 7 days before the return date, when orders will be finalised. If you do not tell the Court within 7 days and you want to object, you will need to provide reasons.

If the respondent does not state their objection to the order within the time limit, the urgent (temporary) order will become a final order. If the respondent does object to the order, the court may hold a hearing to decide the application for the final order.

- A final order for a PPO can last 12 months.
- A final order for a DVO can last 2 years.

What happens after I apply?**Return Conference**

After an application is made, the Court will set a date for a return conference (usually within 2-10 days) when both the applicant and respondent are able to attend court. However, you do not have to see the respondent if you do not wish to.

The aim of the return conference is to identify whether it is possible for the applicant and respondent to resolve the matter by agreement.

Final Order

If the matter is not resolved at the return conference, it will be set down for a hearing. Both the applicant and the respondent will go before a Magistrate who will decide whether an order should be made.

Alternatives to orders

Alternatives to final orders include mediation between the parties, or an undertaking (promise) made by the respondent before the court.

Consequence of Orders

If a person has an order against them it does not mean that they have committed criminal offence. However, if they breach any of the conditions of the order, they can be arrested and charged by the police with a criminal offence.