

FVO and PPO: What happens at Court?

This factsheet is for you if you have or are thinking about applying for a Family Violence Order or Personal Protection Order and want to know more about the court process.

This factsheet explains:

- How do I apply for a Family Violence Order or Personal Protection Order?
- When does an Interim Hearing happen?
- What is a 'Preliminary Conference'?
- What is a 'Directions' listing and when does it happen?
- When does a 'Final Hearing' happen?

This factsheet does not explain:

- What happens at a 'Final Hearing'?
- How do I prepare for a 'Final Hearing'?

This factsheet gives general legal information. It is not legal advice. *Last updated on 26 January 2026*

Key words

- **Applicant** – the person who applied for a Family Violence Order or Personal Protection Order and started the court case
- **Respondent** – the person defending the court case
- **Protected Person(s)** – the person or people who are protected by the Family Violence Order or Personal Protection Order
- **Magistrate** – another name for the Judge that will listen and make decisions
- **Deputy Registrar** – like a Magistrate or Judge who can listen and make decisions in some situations
- **Parties** – another name for both the Applicant and the Respondent
- **Hearing** – a court date when a Deputy Registrar or Magistrate listens and makes a decision about one part of the case or the final outcome of the case.

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Important information

This factsheet explains the usual process for a Family Violence Order and Personal Protection Order case. However, there can be additional court dates depending on what happens in your circumstances. It is very important to talk to a lawyer about your own circumstances.

You can talk to a lawyer for free at the Domestic Violence and Personal Protection Unit (DVU) in the ACT Magistrates Court. The DVU is open Monday to Friday 9am to 3pm.

How do I apply for a Family Violence Order or Personal Protection Order?

1. Fill in the application forms for a Family Violence Order or Personal Protection Order

There are 3 forms to fill in to start:

- Application form for a Family Violence Order or Personal Protection Order
- Private and Confidential Form
- Notice of Address for Service

These forms are available at the ACT Magistrates Court from the Registry. This is the front counter behind the security checkpoint. The Registry is open Monday to Friday 8.30am to 4.30pm.

2. Give the 3 forms to the staff at the Registry in the ACT Magistrates Court

Giving the 3 forms to the Registry is calling 'filing'. This means that you are starting court proceedings. It is very helpful to speak to a lawyer **first**. You can talk to a lawyer for free at the Domestic Violence and Personal Protection Unit (DVU) inside the ACT Magistrates Court. The DVU is open Monday to Friday 9am to 3pm.

3. If you asked the Magistrate to make a 'Interim Family Violence Order' in your application form to protect you immediately, you need to go to the Interim Hearing. This must happen within 2 business days of you submitting the application.

Keep reading this factsheet for more information about what happens at an Interim Hearing.

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What happens at an Interim Hearing?

An Interim Hearing is a type of court date and happens inside a courtroom. When the application for a Family Violence Order or Personal Protection Order is given to the Registry, the Registry staff will tell the Applicant when the Interim Hearing is scheduled. It must happen within 2 days of submitting the application. The Respondent is not told about this court date.

At the Interim Hearing:

- The Deputy Registrar or Magistrate reads the Application for a Family Violence Order or Personal Protection Order
- The Applicant then gives evidence in the witness box
- If the Applicant has a lawyer, the lawyer will ask them questions
- If the Applicant does not have a lawyer, the Deputy Registrar or Magistrate can ask the Applicant questions
- The lawyer or Applicant can also tell the Deputy Registrar or Magistrate why it is important to make an Interim Family Violence Order or Interim Personal Protection Order
- The Deputy Registrar or Magistrate then decides if they are going to make an Interim Family Violence Order or Personal Protection Order and what the conditions are

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Service

The Respondent is not told about the Interim Hearing court date. This is because the law says that the Respondent is only given the application forms for a Family Violence Order or Personal Protection Order after the Interim Hearing happens. If the Respondent is already at Court, for example to apply for bail, then sometimes they are allowed to participate in the Interim Hearing. This is rare.

‘Service’ means that the Police personally give the Respondent the application forms for the Family Violence Order or Personal Protection Order and a copy of the Interim Order, if one was made. They try to do this as quickly as possible. There can be delays.

If you want an update about service, you can call the Police on 131 444. If there are issues with service happening, you can talk to a lawyer for advice on what to do.

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What is a 'Preliminary Conference'?

A 'Preliminary Conference' happens after the application forms have been submitted or after the Interim Hearing. The 'Preliminary Conference' is sometimes called a 'Return Conference'. The point of the Preliminary Conference is to find out if the Applicant and the Respondent can agree and resolve the court case. When you get to court, tell the Registry that you have arrived. It is very important to check in.

It is very important to go to the Preliminary Conference. If the Applicant does not go, then the application for a Family Violence Order or Personal Protection Order can be dismissed. This means that the court case is cancelled and any Interim Family Violence Order or Interim Personal Protection Order is cancelled.

If the Respondent does not go to the Preliminary Conference, the law allows the Magistrate to make a Final Family Violence Order or Final Personal Protection Order. The Magistrate reads the application forms and may listen to more evidence from the Applicant about what they say happened. The Respondent is later served with the Final Order by the Police.

During the Preliminary Conference

The Preliminary Conference takes place in office rooms in the court building, not a courtroom.

At the Preliminary Conference, the Applicant and the Respondent are never in the same room. Instead, a Deputy Registrar who works for the Court walks back and forth between two rooms to talk to both people.

The Preliminary Conference is not about the evidence. The Applicant and Respondent do not need to explain their side of the situation, and no decision is made about who is telling the truth or not. That happens at a Final Hearing.

At a Preliminary Conference, any of the following things can happen:

1. The Applicant can decide to discontinue the application. 'Discontinue' means that they cancel the court case.
2. The Applicant and Respondent can agree to a Final Order being made by consent 'without admissions'. 'Without admissions' means that the Respondent agrees to the Order being in place but does not admit

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that they have done anything the Applicant says they have. This means that the Applicant and the Respondent do not need to go to a Final Hearing and present evidence.

3. The Respondent can agree to an Undertaking. An 'Undertaking' is a formal promise to the Court not to do certain things. For example, the Respondent agrees not to contact the Applicant.
4. There is no agreement. The case continues and there are future court dates.
5. The Respondent is not served by police. This means the Preliminary Conference cannot go ahead and is moved to another date in the future. This is called an 'adjournment'.
6. One party does not show up:
 - a. If the Applicant goes but the Respondent does not (and is aware of the court case), the Magistrate can decide to make a Final Order; or
 - b. If the Respondent goes but the Applicant does not, the case can be dismissed (cancelled); or
 - c. If both the Applicant and Respondent do not go to Court, the case can be dismissed (cancelled).

Legal advice can be helpful in deciding what is best for you out of these options.

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What is a 'Directions' listing?

The next court date after the Preliminary Conference is the 'Directions' listing. This is a court date that happens inside a courtroom. It was previously called a 'Pre-Hearing Mention'.

The purpose of the Directions court date is for the Deputy Registrar to find out:

1. Can the case be settled if there is another Preliminary Conference on the same day? **or**
2. What needs to happen to prepare before the Final Hearing?

It is very important to go to the Directions court date. If the Applicant does not go, then the application for a Family Violence Order or Personal Protection Order can be dismissed. This means that the court case is cancelled and any Interim Family Violence Order or Interim Personal Protection Order is cancelled.

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If the Respondent does not go to the Preliminary Conference, the law allows the Magistrate to make a Final Order. The Magistrate reads the application forms and may listen to more evidence from the Applicant about what they say happened. The Respondent is later served with the Final Order by the Police.

What happens inside the courtroom?

If you are the Applicant of a Family Violence Order, you do not need to be physically present in the courtroom. You can join from another location like the Remote Witness Rooms. Contact the ACT Magistrates Court Protection Unit for more information: (02) 6205 4939 or protection@courts.act.gov.au

If you are the Applicant of a Personal Protection Order, you can ask permission to use a Remote Witness Room. If you are not granted permission, you will need to be physically in the courtroom.

If you are the Respondent, you can find the courtroom by looking for the FVO or PPO reference number on the display board. If you are not sure, ask the Registry staff.

If there is no agreement, then the Deputy Registrar will manage the case to make sure everyone is ready for a hearing in the future. This could mean:

- Asking how many witnesses each party will have;
- Asking how long the hearing will take (for example, 2 hours? A day?)
- Making directions that tell the parties when to do certain things; and
- Finding a hearing date in the future for the case to be heard by a Magistrate.

Before this court date, you should think about how many witnesses (including yourself) you need at the Final Hearing.

If your court case is not resolved at the Directions court date, you will be given 'directions' by the Deputy Registrar. These are a timetable of deadlines for each party to do certain things to prepare for the Final Hearing. It is very important that you understand and follow these directions or it can negatively impact your case.

The usual directions are dates for:

1. When the application is scheduled for Final Hearing
2. When the request for the Interim Hearing transcript must be requested by
3. The Applicant is ordered to file a Timeline of alleged events that make up the Application by a certain date
4. The Respondent is ordered to file a Reply ('Notice of Grounds of Defence') to the Application and

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Timeline by a certain date

5. When subpoenas to produce documents to be filed by
6. When subpoena for witnesses to attend to give evidence at the hearing

It is very important that you pay attention to these directions. The Deputy Registrar will usually give you a hardcopy with the directions written down. The Registry will email you an electronic copy after as well. If you are the Respondent, you can submit a 'Notice of Address for Service' with your contact details. These details are not given to the Applicant without consent. By submitting this document, the Registry staff can email you important documents.

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When does a Final Hearing happen?

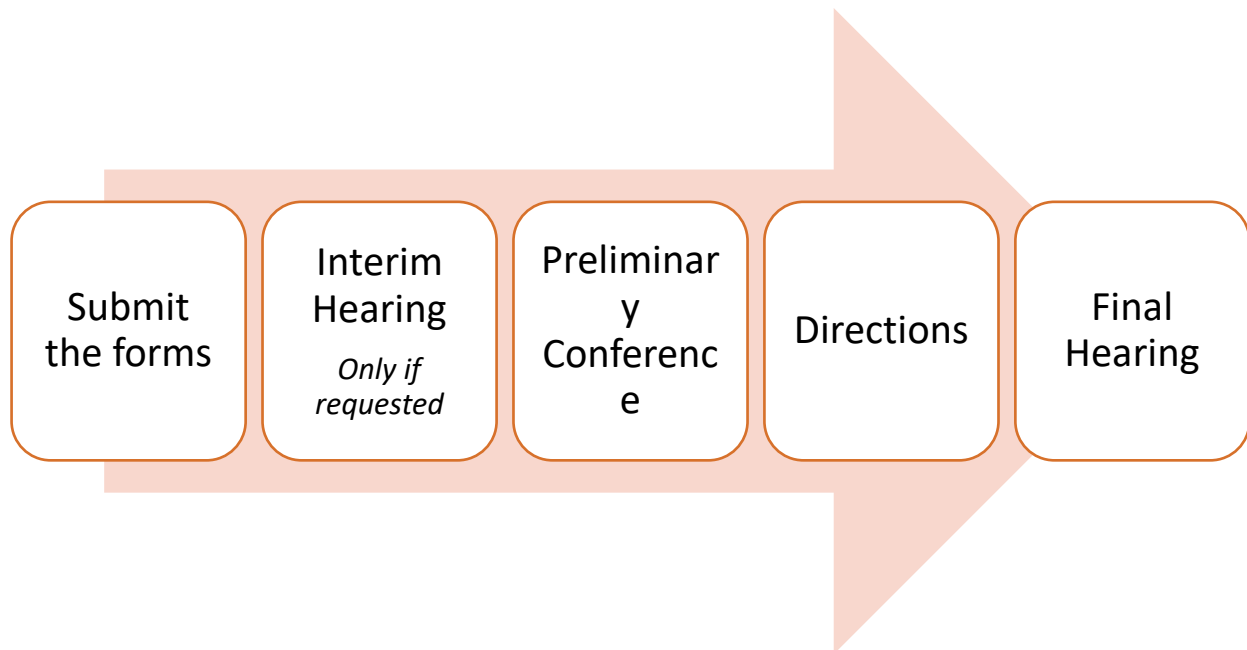
You find out when the Final Hearing will happen at the Directions court date. The Final Hearing generally happens 6 months to 12 months after the Application for a Family Violence Order or Personal Protection Order was submitted to the Magistrates Court. How long it takes to get to a Final Hearing depends on what happens in your particular case.

If you have a Special Interim Family Violence or Special Interim Personal Protection Order, the process is different. This is because there are 'related charges', meaning that the Respondent has been charged for criminal offences committed against the protected people. A Final Hearing will not happen until the related charges are finished in the criminal court. You might be unsure if your application or Interim Order is 'special'. Talk to a lawyer.

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Summary of the Court process



Where can I get help?

If you are in any immediate danger, please call the Police on 000.

Domestic Violence and Personal Protection Unit – Legal Aid ACT

- Phone: (02) 6173 5436
- Location: ACT Magistrates Court, 4 Knowles Place Canberra ACT
- Open: Monday to Friday, 9am to 3pm
- Email: dv@legalaidact.org.au
- www.legalaidact.org.au/what-we-do/dv-unit

Family Advocacy and Support Service – Legal Aid ACT

- Phone: (02) 6173 5436
- Email: FASS@legalaidact.org.au

Legal Aid ACT

- Phone: 1300 654 314 (Monday to Thursdays, 8.30am – 7pm, Fridays 8.30am – 5pm)
- www.legalaidact.org.au



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ACT Magistrates Court Protection Unit

- Phone: (02) 6205 4939
- Email: protection@courts.act.gov.au
- www.courts.act.gov.au/magistrates/law-and-practice/family-violence-and-protection-orders

Domestic Violence Crisis Service (DVCS)

- Phone: (02) 6280 0900 (24/7 phone line)
- www.dvcs.org.au/

Canberra Rape Crisis Centre

- Phone: (02) 6247 2525
- www.dvcs.org.au/

Victim Support ACT

- Phone: 1800 8222 72 or (02) 6205 2066
- www.dvcs.org.au/

Other useful factsheets by Legal Aid ACT

- *I am self-represented at a Family Violence Order Final Hearing*
- *Family Violence Order Final Hearing: What is a subpoena?*

These factsheets are on our website: www.legalaidact.org.au/what-we-do/information-education

The Law

Family Violence Act 2016 (ACT)

[Family Violence Act 2016 | HTML view](#)

Personal Violence Act 2016 (ACT)

[Personal Violence Act 2016 | HTML view](#)