

Cross Orders

It is possible that the other person may apply for a Protection Order against you even though you have applied first. If you believe that the other person will contest (not agree to) your application or apply for an order against you, then you may wish to seek legal advice. You may be eligible for Legal Aid and may get a solicitor to act for you.

Workers at the Domestic Violence Resource Service cannot give legal advice, but can provide you with information and support.

**DOMESTIC VIOLENCE
IS ABOUT
POWER & CONTROL.**

For explanation of other conditions, or for further information about Protection Orders, please call North Queensland Domestic Violence Resource Service or your local Police Station.

Legal Aid
1300 651 188

Townsville Community Legal
47 215 511

Women's Legal Service
(incorporating the Indigenous Women's Legal Service)
47 72 5400 or
1800 244 504
Free legal advice 9am to 5pm Tuesday and Thursday

Mensline
1300 789 978

Women's Centre
47 75 7555

NQDVRs

- ◆ Information and referral
- ◆ AARDVARC program for children
- ◆ Resources
- ◆ Court Support
- ◆ Choosing Safety Upgrades program
- ◆ Men's Behaviour Change Program
- ◆ SAFE Dads Program
- ◆ Community education & Training

TOWNSVILLE OFFICE

PO Box 6061, Townsville QLD 4810
Phone: 07 4721 2888 Fax: 07 4721 1794
nqdvrs @nqdvrs.org.au

1st Floor, Metway Arcade, 390 Flinders Street, Townsville

MOUNT ISA OFFICE

Po Box 502, Mt Isa QLD 4825
Phone: 07 4743 0946 Fax: 07 4743 7999
minqdvrs@nqdvrs.org.au
The Old Court House Building, Isa Street

<http://www.nqdvrs.org.au>

Against Violence #24



**INFORMATION
for
AGGRIEVED
PERSONS
involved with
DOMESTIC
VIOLENCE
PROTECTION
ORDERS.**

NQDVRs
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Government

A Domestic Violence Protection Order is an order made by a Magistrate that restricts the way that a person can behave towards another person. The behaviour restricted can include: Wilful injury, wilful damage to property, intimidation, harassment, indecent behaviour without consent, stalking and threats to commit these acts.

Protection Orders

The Protection order is designed to prevent further violence and abuse from occurring. It does this by restricting the behaviour of the abusive person.

A court may make a Protection Order if it is satisfied that an act of domestic violence was committed and it is necessary or desirable to protect the aggrieved or a named person. The order is made against the person committing the domestic violence (the respondent)

A Protection Order takes effect when the respondent person has been served with a copy of the order. The order remains in force for the period set out on the order, which can be for up to two years. A court can review the order for a further period.

Note: Protection Orders are a civil matter. It is not a criminal charge. However, Protection Orders are legally binding and if the other party breaches the Order, the matter becomes a criminal offence.

Conditions in the Order

When the other party is served with a copy of the protection order by the Police, the conditions should be explained to them.

The onus is on the respondent to obey the conditions in the order.

The respondent person must be of good behaviour towards the aggrieved and not commit domestic violence

This means that the other person is not to physically or verbally abuse you, harm your property in any way or threaten to do any of the above.

The respondent person must be of good behaviour towards any named person in this order and not commit an act of associated domestic violence against the named person.

Note the names that are included in the order, the respondent is not to hurt, harass or intimidate these people, (this may include children, relatives, friends etc.)

OTHER CONDITIONS THAT MAY BE INCLUDED:

The respondent is not to go to, enter or remain in any place where the aggrieved listed in this order is living or staying or working

This condition means that the other person is not to go to your house or work, they are not to enter your house

or work and they are not to remain at your house or work. This may also cover a place where you are staying, (a friends place or your parents house) because this is considered as where you are residing. If you have this condition on your order you may be eligible for assistance with the "Choosing Safety" program.

The respondent is not to contact, try to contact or ask someone else to contact the aggrieved, directly or indirectly (by telephone or any other means of communication).

This condition means that the other person is not to telephone, write or pass messages to you or have family or friends pass on messages for them. No contact means no contact. If you are in a public place the other person should not approach you.

The respondent is not to follow; or approach; or approach to within (a distance may be entered here) metres of the aggrieved.

This condition means that the other person is not to try to follow you or any person named in the protection order. If there is a distance entered they should stay that distance from you. There may also be exceptions for access to children included in this condition.

There may be other conditions included in the order and exceptions can be made for access to children.