

**A protection order puts limits on your behaviour. You must not commit Domestic Violence against the aggrieved. A breach of this order is a criminal offence.**

## **DOMESTIC VIOLENCE IS AGAINST THE LAW**

**The Domestic and Family Violence Protection Act (1989) states that Domestic Violence includes:**

- Wilful injury against the other person such as punching, hitting, slapping or choking.
- Wilful damage to the other person's property such as breaking possessions, punching holes in walls or hurting pets.
- Intimidation and harassment of the other person such as following/ stalking, constant telephoning or threatening violence.
- Indecent behaviour towards the other person without consent for example forcing them to engage in sexual behavior or unwanted sexual contact.
- A threat to commit any of the acts mentioned above.

## **Help Available**

**SUPPORT:** NQDVRs Respondent's Court Worker (Townsville)  
Ph. 47212888

DV Connect Men's Line (Qld)  
Ph: 1800600636

Men's Line Australia (24hr/7days)  
Ph: 1300789978  
[www.menslineaus.org.au](http://www.menslineaus.org.au)

**MENTER:** Men's Behaviour Change Program (Townsville)  
Ph: 47212888

**LEGAL:** Legal Aid Queensland  
Ph: 47607507

**NQDVRs**

Funded by the Department of Communities

**Information and referral  
Aardvarc program for children  
Community education & training  
Resources  
Court Support  
Men's Behavioral Change Program**

### **TOWNSVILLE OFFICE**

Phone: 07 4721 2888 Fax: 07 4721 1794  
4<sup>th</sup> floor Narthtown Office Tower.  
Flinders Street Mall (Above the City Library)  
[nqdvrs@nqdvrs.org.au](mailto:nqdvrs@nqdvrs.org.au)

### **MOUNT ISA OFFICE**

Phone: 07 4743 0946 Fax: 07 4743 7999  
The Old Court House Building, Isa Street  
[minqdvrs@bigpond.net.au](mailto:minqdvrs@bigpond.net.au)

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

## **Against Violence #29**



**Have you been summoned to court for a Domestic Violence Protection Order made against you?**



**Information that may be helpful**

**N.Q.D.V.R.S**

**You have been served with a protection order application against you and have been given a court date. What now?**

## **ROLE OF THE RESPONDENT'S COURT WORKER**

The respondent's court worker is present on your court day to discuss DV court procedures with you. The worker will explain the three options that you have in responding to a Domestic Violence Protection Order (DVO) application. The worker will also offer information and referrals to other agencies regarding legal advice, MenTER (Men's Behaviour Change Program) and Fathers' programs. You are welcome to contact the men's faxback worker at NQDVRS before or after your court day for further assistance.

## **OPTIONS FOR RESPONDENTS**

When you have been served to appear in court for a DVO application against you, you will be given a time and date to appear in court for mention. When you appear in court you can respond to the application against you by either, consenting; consenting without admissions; seeking legal advice or contesting the matter.



### **What exactly does each of the following options mean?**

**Consent:** This simply means agreeing to an order being made against you.

**Consent without admissions:** This means that you agree to an order but do not necessarily agree with/accept some of the facts (if not all) outlined in the statement.

**Seek legal advice:** This means that the court shall adjourn the matter for you to get legal advice. You may wish to negotiate the period of time the matter is adjourned with the Judicial Registrar or Magistrate.

**Contesting the matter:** This means that the matter goes to a hearing where a Magistrate will decide if an order should be made. Both parties will be expected to submit materials for evidence including affidavits and a list of witnesses prior to the date of hearing.

## **What does a Domestic Violence Protection Order (DVO) mean?**

If the court makes a DVO against you, you must be of good behavior and not commit acts of violence towards the aggrieved (person the order is made to protect) or anyone else named in the order. Named persons can include children, relatives or associates of the aggrieved, if you have been violent towards them. An order does not prevent you from spending time with or communicating with your children, except in exceptional circumstances. The aggrieved person can also apply for more specific conditions on the DVO. Such conditions can prevent you from contacting the aggrieved person or from going to their residence or workplace. It is important for your safety that you comply with your Domestic Violence Order. Having a DVO against you, will impact upon your ability to possess; be issued with; continue to hold or renew a weapons license.

### **What happens if you fail to obey the conditions of the DVO?**

Failing to abide by the conditions of a DVO is a criminal offence and referred to as a breach. Breaches may result in serious penalties including a maximum of two years imprisonment.