

Practical Tips on Domestic Violence Matters in Queensland



WHO IS ELIGIBLE?

- ARE YOU IN A RELEVANT RELATIONSHIP?
- HAS THERE BEEN AN ACT OF DOMESTIC VIOLENCE?
- IS IT NECESSARY AND DESIRABLE TO MAKE A DV ORDER?



TYPES OF APPLICATIONS:

1. **Private Application** – filed by the person that was subjected to domestic violence.
2. **Police Application** – filed by Police, often after attending an incident.

APPLICATION FOR PROTECTION ORDER IS FILED AT THE LOCAL MAGISTRATES COURT AND THEN PERSONALLY SERVED BY THE POLICE.



TYPES OF NOTICES AND ORDERS:

1. **Police Protection Notice (PPN)** – issued by Police at the scene.
2. **Urgent Temporary Protection Order** – can be requested from the court without notice to Respondent (offender).



MENTION - FIRST COURT DATE:

1. Short “administrative” appearance to indicate how matter will progress.
2. Magistrate may make *Temporary Protection Order* against Respondent.

COURT DATE MAY BE ADJOURNED TO GIVE RESPONDENT OR APPLICANT TIME TO OBTAIN LEGAL ADVICE.

RESPONDENT DECIDES HOW TO RESPOND TO AN APPLICATION:

CONSENT TO PROTECTION ORDER

Can be made on a “without admission” basis.



Final Order made in agreed terms.

CONTEST THE APPLICATION

Final Hearing to determine whether Order (for 5 years) will be made.

(Order will be made if the Court is satisfied that an act of Domestic Violence has occurred and if it is necessary and desirable to make an order).



If Order is made, there are 28 days to lodge any appeal.