

Women's Domestic Violence Court Advocacy Services

Who they are

Women's Domestic Violence Court Advocacy Services are locally-based, independent services for women and children seeking help and information about how to get protection from the court in situations of domestic violence. Women's Domestic Violence Court Advocacy Services are funded by Legal Aid NSW and are managed by local agencies.

If you are just thinking about what to do and want some information about Apprehended Violence Orders (AVOs) and other services they can help you.

Women's Domestic Violence Court Advocacy Services can't provide legal advice. If you need legal advice, you should see a lawyer or contact Law Access NSW for a referral to a legal service in your area: **1300 888 529**

Penrith/Mt Druit

4731 5098

Blacktown/ Hawkesbury

9671 9126

Mt Druit Community Legal Centre

9675 2009

Before court

If you have a domestic violence matter which is going to court and you want to know what will happen, they can provide you with information and other assistance before you go to court.

At court

They will make sure you have a safe place to sit at court, give you information to help you understand what is happening and work with you to get an order that is best for your situation. Women's Domestic Violence Court Advocacy Services will also keep you informed about the progress of your matter through the court, including future dates when you need to attend court.

After court

After court, they can refer you to other services that can help you with safe housing, income support, children's needs, family law and counselling. They can also provide you with information about what to do if the abuse continues.



An Australian Government Initiative

Special help

Some Women's Domestic Violence Court Advocacy Services have specialist workers to help Aboriginal women, or women from culturally and linguistically diverse backgrounds.

Do I need to go to court?

Yes. It is important for you to go to court to get information about what is happening in your case. It is important that the court has up-to-date information about your situation and what you want and whether anything has changed since your application was made.

I want to live with my partner. Can the Women's Domestic Violence Court Advocacy Service help me?

Yes. You can still apply for an order which protects you but which allows you to live with your partner. There are many different conditions which can be included in an order so that it is suited to your situation. The Women's Domestic Violence Court Advocacy Service will help you apply for conditions that meet your needs, but still give you protection from violence and abuse.

If you already have an order but your situation has changed, you should speak to the Women's Domestic Violence Court Advocacy Service about changing your AVO.

What if I want to withdraw the application for an AVO?

Although you might feel that things have settled down, it is best to seek advice before you consider withdrawing your application. Remember, an AVO does not mean the abusive person has a criminal charge. It is about protecting you from future violence and abusive behaviour. If you have children, it will protect them as well. The Women's Domestic Violence Court Advocacy Service can provide you with information and discuss any concerns you have about withdrawing your application for an AVO.

If the police have applied for the order, you may not be able to withdraw the application, particularly where children are involved, or where police believe an offence has been committed or is likely to be committed. The Women's Domestic Violence Court Advocacy Service will be able to explain this further.

What if the defendant breaches one of the conditions of the AVO?

A breach of an AVO is a criminal offence. You should report any breach of the AVO to the police by calling **000**.

The police will investigate the matter and decide whether or not to charge the defendant for committing the offence.

After court

Some important things to remember:

- In any emergency, ring the police on **000**.
- Make sure you obtain your copy of the AVO from the court office before you leave the courthouse.
- Make several copies of the court orders and always have a copy with you.

- If your partner or ex-partner breaches the order, call 000 immediately.
- Call your local Women's Domestic Violence Court Advocacy Service if you need any further information or assistance.
- Call Law Access NSW for legal information and advice on **1300 888 529**.

For more information on AVOs or to find your nearest Service, call Law Access NSW on 1300 888 529 or visit www.lawaccess.nsw.gov.au

Legal Terms

Chamber Registrar

The Chamber Registrar works at the Local Court and can help prepare AVO applications for people who wish to make a private application.

Consent

Sometimes the defendant will agree to an AVO being made against him/her. In this case, the matter does not have to go to a hearing at a later date. The defendant may consent without admission which means that he/she agrees to the order but doesn't necessarily agree to the facts in the AVO application.

Court list

This is the list of cases being heard by the court each day. Some courts have an AVO list day so that AVO matters are heard on the same day each week.

Cross-application

Sometimes a defendant in an AVO matter will apply for an AVO against the protected person. If this happens to you, contact your local Women's Domestic Violence Court Advocacy Service straight away or seek legal advice. Your local Service will be able to assist you to obtain legal representation.

Defendant

The person against whom you have an order.

Final order

The order made at the end of the court proceedings. It lasts as long as the court thinks you need it and you do not have to return to court unless you need to change the conditions on the order or to extend it.

Interim order

An order that lasts until the next court date.

Magistrate

Magistrates decide whether or not to grant an AVO, which conditions should be included and for how long. In court they are referred to as 'Your Honour'.

Mention

This is the occasion when your case or matter is brought before the court. If the defendant does not consent to the AVO, it will go to a hearing on another day. You should attend court on every mention date (unless you are told you don't have to).

Police prosecutor

Police prosecutors present information to the court on behalf of police, just as lawyers do on behalf of private applicants.

Private applications

These are applications for AVOs made by the person in need of protection. A lawyer may apply on the person's behalf. You may apply for Legal Aid representation so you have a lawyer to represent you at court. You need to meet the Legal Aid means test for this to occur.

Protected person

The person for whom the order is sought or made (you).

Provisional interim order (PIO)

A temporary order obtained by police in an emergency until your court date.

MORE INFORMATION AND HELP

Law Access NSW 1300 888 529

Women's Legal Service Domestic Violence Advice Line

Within Sydney (02) 8745 6999 Outside Sydney

(Rural Free Call Line) 1800 810 784 TTY 1800 626 267

Domestic Violence Advice Lines are open 9.30am - 12.30pm and 1.30pm – 4.30pm Monday, Tuesday, Thursday and Friday. Advice lines do not operate on a Wednesday.

Department of Community Services Domestic Violence Line (24 hours, 7 days) 1800 656 463 TTY 1800 671 442

Police Call Triple Zero (000) TTY 106

Translating & Interpreting Service 131 450

This information was sourced from the Publications Unit of Legal Aid NSW. This information is also available online at: www.legalaid.nsw.gov.au/pubsonline