

PROTECTION ORDER: [] PO (s37); [] TPO (ss44/131); [] Vary PO (s91)

AGGRIEVED **RESPONDENT**

NAMED PERSONS PROTECTED BY THE ORDER:

CHILDREN of the aggrieved

.....
.....

RELATIVES or ASSOCIATES of the aggrieved

.....
.....
.....

- [] Having considered the main objects stated in s3 and the principles stated in s4 of the D&FVP Act, and
- [] given that I am satisfied that
- [] a relevant relationship exists between the aggrieved and the respondent (s37.1.a) and
- [] that the respondent has committed domestic violence against the aggrieved (s37.1.b) and
- [] that a protection order is necessary or desirable to protect the aggrieved from domestic violence (s37.1.c)
- [] whether the respondent has complied with a voluntary intervention order previously made (s37.2.b)
- [] that an offender has been convicted of an offence involving domestic violence (ss26.b/42.2)
- [] that respondent and aggrieved are parents of a relevant child (s43)

[] BY CONSENT [] WITHOUT ADMISSION [] **IT IS ORDERED THAT**

1 *You, the respondent* **must** be of good behaviour towards the aggrieved, and **must not** commit domestic violence against the aggrieved. (s56.1.a)

[] *You, the respondent* **must** be of good behaviour towards any person named in this Order, and **must not** commit domestic violence against any named person. (s56.1.b)

[] *You, the respondent* **must** be of good behaviour towards any child named in this Order, and **must not** commit domestic violence against any named child, and **must not** expose any named child to domestic violence. (ss53/54/56.1.c)

[] Satisfied that the aggrieved is pregnant, when the child is born, *you, the respondent* **must** be of good behaviour towards the child, and **must not** commit an act of domestic violence against the child, and **must not** expose the child to domestic violence. (s67)

[] Having considered ss57/64.2 factors: reasons as recorded (s64.3) Ouster (ss63/64):

[] *You, the respondent* **must** immediately / within hours / by leave the home shared with the aggrieved. (s63.1.a)

[] *You, the respondent* **may**, without breaching the Order, remain in the home / return to the home at for a period of / until to collect personal & undisputed property. (s59)

[] *You, the respondent* **must** within allow the aggrieved / be allowed by the aggrieved to enter the home / at to collect personal property & undisputed property owned by the aggrieved / respondent; **but only** in the company of a police officer, and with prior notice to the other party. (ss59/65)

[] *You, the respondent* **must** immediately hand to the police for return to the aggrieved/respondent the following property

.....
.....
.....

[] *You, the respondent* **must not** locate or attempt to locate

- the aggrieved, or
- any person named in this Order, or
- any child named in this Order, or
- any home, workplace or educational facility of the aggrieved, or
- any person named in this Order, or
- any child named in this Order. (s58.e)

- [] *You, the respondent must not*
 - go within/100 metres of; or
 - enter, or
 - remain at any place where
 - the aggrieved, or
 - any person named in this Order, or
 - any child named in this Order

lives, or stays, or works. (ss11/)

- [] *You, the respondent must not*
 - go within/100 metres of; or
 - enter, or
 - remain at any place where (s11)
 - any child named in this Order

attends an educational or child care facility (s58.f)
- [] **except** to have contact with a child or children;
but only at such times and in such manner
 - as agreed between the parties in writing or
 - as ordered under the *Family Law Act*, or
- [] **except** as offered by the aggrieved / respondent in writing;
but only if that writing states the manner, place, day, date, time, and time period for such contact.

- [] *You, the respondent must not*, directly or indirectly,
 - approach, or attempt to approach at any place
 - the aggrieved, or
 - any person named in this Order, or
 - any child named in this Order
- [] **except**
 - when attending or appearing before any court or tribunal;
or
 - when attending any conference, counselling or mediation
whether or not required by any court or tribunal; or
- [] **except** to have contact with a child or children;
but only at such times and in such manner
 - as agreed between the parties in writing, or
 - as ordered under the *Family Law Act*, or
 - as authorised by Department of Communities (Child Safety), or
- [] **except** as offered by the aggrieved / respondent in writing;
but only if that writing states the manner, place, day, date, time, and time period for such contact. (s58.c)

- [] *You, the respondent must not*, directly or indirectly
- contact or attempt to contact
 - the aggrieved, or
 - any person named in this Order, or
 - any child named in this Order
- by third party, or by phone, fax, SMS, email or social media,
- [] **except** - through a lawyer in writing; (s60) or
- when appearing before any court or tribunal; or
 - when attending any conference, counselling, or mediation whether or not required by any court or tribunal; or
- [] **except** to have contact with a child or children;
- but only** at such times and in such manner
- as agreed between the parties in writing, or
 - as ordered under the *Family Law Act*, or
 - as authorised by Department of Communities (Child Safety), or
- [] **except** as offered by the aggrieved / respondent in writing;
- but only if** that writing states the manner, place, day, date, time, and time period for such contact. (s58.e)
- [] **except** for purposes directly related to parental or contact issues concerning a child or children
- BUT THEN ONLY** in writing by SMS or email.
- [] *You, the respondent must not* use the internet or any other means of communication including any social networking site
- to communicate with, or
 - to make comments about or
 - to publish pictures, photos or recordings of,
 - the aggrieved or
 - any person named in this Order or
 - any child named in this Order. (s8.2.h)
- [] *You, the respondent must* immediately remove from any and every social networking site any comment, statement or allegation about, or any reference to, or any picture, photo or recording of the aggrieved, any person named in this Order or any child named in this Order
- posted by you, or
- at your instigation, or
 - by any associate of you.

- You, the respondent **must not**, directly or indirectly
 - follow or attempt to follow; or
 - stalk or attempt to stalk
 - the aggrieved, or
 - any person named in this Order or
 - any child named in this Order.(ss11/8.2.i)

Pursuant to sections 68R, 68S and 68T of the *Family Law Act and* section 78 of the *D&FVPA* paragraph/s of the Order made by Judge..... of the FCCA/FCA on is/are suspended forthwith.

WEAPONS

INFORMATION ABOUT WEAPONS POSSESSED BY RESPONDENT (s80)

- a. Do you, the respondent have a weapons licence? (s80.2.a)
- b. Do you, the respondent possess a weapon? (s80.2.b)
- c. Do you, the respondent have access to a weapon for employment purposes? (s80.2.c)
- d. Do you, the respondent have access to a weapon per *Weapons Act*, s2? (s80.2.d)

If yes to c or d, (s80.2.e)

name of employer

address of employer

arrangements re access to weapon

No weapons disclosed.

Weapons as disclosed in the Application:

Satisfied that you, the respondent

have used, or

have threatened to use

a thing in committing domestic violence, or

associated domestic violence, or

are likely to use the thing again, or

carry out the threat

you, the respondent must not possess

.....

or

a thing of the same type while the order is in force. (s81)

Pursuant to s QQ of the D&FVPA, that a copy of the Order herein be served upon

the employer of you, the respondent;

a partner in partnership with you, the respondent;

an individual within the entity which employs you, the respondent.

the parent of the child applicant/respondent.

That a copy of this Order be served upon the Adult Guardian. (s163)

That the temporary order do continue in force until service upon the respondent of the order herein. (s98.b.i)

THIS ORDER SHALL,
UNLESS IT IS SOONER VARIED OR REVOKED,
CONTINUE IN FORCE TO AND INCLUDING

...../...../ 20..... (ss96/97)

BF TYNAN
Acting Magistrate

...../...../2016

/03/2016