

Conditions - Other Bench Books

NSW

Judicial Commission of NSW, [Local Court Bench Book \(updated 2022\)](#).

Section [22-000] discusses the procedures for dealing with applications for Apprehended Violence Orders, hearing applications, the making and variation of orders, consent orders, duration and conditions, and the National Domestic Violence Order recognition scheme.

QLD

Magistrates Court, Queensland, [Domestic and Family Violence Protection Act 2012 Bench Book \(2021\)](#).

This bench book discusses in detail the legislation, case law and procedural issues relating to application proceedings for protection orders under the *Domestic and Family Violence Act 2012* (Qld), including the jurisdiction of Magistrates and Judicial Registrars (Chapter 2); police, private and cross applications (Chapter 3); service of applications (Chapter 4); hearing of applications (Chapter 5); making a temporary protection order (Chapter 6); making a protection order (Chapter 7); consent orders (Chapter 8); naming of parties and standard/other conditions in orders (Chapter 9); duration of orders (Chapter 10); explanation of orders (Chapter 11); service of orders (Chapter 12); variation of orders (Chapter 13); and breach of an order (Chapter 20.1).

Vic

Judicial College of Victoria, [Family Violence Bench Book \(2014\)](#).

2.1 discusses the intervention order process. 2.2 discusses making interim and final intervention orders, and conditions of orders. 2.3 discusses changing orders.

WA

Department of Justice (WA), [Equal Justice Bench Book \(2nd edition September 2021\)](#).

Section 13.9.3 entitled 'Restraining Orders', contains practical points for judicial officers to consider in restraining order applications (particularly in relation to children). For example,

- 'When considering whether to make a violence restraining order, you should have regard to the need to ensure that children are not exposed to acts of family and domestic violence.'

- > You should not assume that children who are not direct targets of violence want or will benefit from contact with the perpetrator of violence...
- > Be aware that restraining orders may be used by perpetrators of domestic violence as a way to control and punish the primary victim...
- > If an applicant has not contacted an external support agency prior to the application for a restraining order you may wish to let them know that such support is available. A list of agencies and organisations which help people who are at risk of family and domestic violence can be found at the end of this chapter.'