

FAMILY VIOLENCE AND INTERVENTION ORDERS

What is Family Violence?

Family violence is when a family member makes you feel unsafe and afraid. Violence includes not only physical abuse but also

- threats to yourself, someone close to you, your pet or your property
- forcing you to have sex
- calling you names or restricting you from social interaction
- controlling your money

The law states that children suffer from family violence if they

- hear or see the violence being committed
- help a family member who has been hurt
- clean up after family violence has occurred
- are present when the police arrive after family violence has been reported.

What is a Family Violence Intervention Order?

A family violence intervention order helps protect you from a family member who is violent to you. This is a court order

imposed by the Magistrate's Court.

Certain conditions are imposed (according to your safety needs) to stop the violence from occurring. An order can also protect your children, your property and those who support you.

There are two types of orders:

- an interim order: a short-term order made until a Magistrate can hear all the evidence and make a final decision
- A final order: a long-term order made where the Magistrate believes a family member has used family violence and is likely to do so again.

How can I apply for a Family Violence Intervention order?

You can apply for an order, or the Police may apply on your behalf if they are called to an incident of family violence.

Where can I apply for an order?

You can apply for an order at any Magistrates' Court.

DISCLAIMER: This fact sheet is for information purposes only and is not to be taken as legal advice.

FAMILY VIOLENCE AND INTERVENTION ORDERS

What is a family member?

A family member can be:

- your partner
- your child or the child of a person you have a close personal relationship with
- a relative by birth, marriage or adoption
- Someone you treat like a family member, for example a carer, or guardian

What happens if the Intervention Order is broken?

If the person does not follow the conditions set out in the final intervention order or interim order they are committing a crime. If the order is contravened contact the police to notify them of the events.

If the family member is found to have broken the conditions of the order they may have to go to court. If they are found guilty they may get a large fine or possibly be imprisoned.

Who can help?

Legal Advice

The Central Highlands Community Legal Centre provides free consultation for people suffering family violence. The Centre also provides a free duty lawyer service to assist in proceedings. For more information call 03 5331 5999 to book an appointment.

Support Services

Domestic Violence Support Service-
WRISC-5333 3666

Women's Domestic Violence Crisis Line-
1800 015 188

Ballarat Centre Against Sexual Assault-
CASA- 5320 1800 or 1800 806 292

Men's Referral Service-1800 065 973

Men's Behavior Change and Counselling
Program-Child and Family Services
Ballarat—5337 3333

DISCLAIMER: This fact sheet is for information purposes only and is not to be taken as legal advice.