

INTERVENTION ORDERS FAQs

What is an Intervention Order?

An intervention order is an order issued by either the police or the Court, which prohibits a person (the "Defendant") from behaving towards you (the "Protected Person") in a way which may be violent or harass, threaten or abuse you.

The Defendant may be prohibited from coming to your place of work or home or your children's school. They may also be prohibited from following or watching you, or calling or sending messages to you.

The Defendant may also be ordered to do certain things, such as to move out of the house that they may share with you.

How do I get an Intervention Order?

Intervention orders may be issued by the police (called an interim intervention order) or may be issued by the Court.

In each case, there must be grounds for issuing an order. This means that the police or the Court must be of the view that you will be subject to an act of abuse by the Defendant, unless there is some intervention to help you.

If you have grounds, you can ask the Police to issue an interim intervention order directly to the Defendant, or you can make an application to the Court to issue an order. We can help you make an application to the Court.

What happens when an Intervention Order is made?

A police issued 'interim' intervention order begins to operate as soon as it is served by the police officer on the Defendant.

When the court issues an order, the order does not start working until the police hand a copy of the order to the Defendant.

What if I need to vary or amend the Intervention Order?

If you wish to vary any of the conditions in the intervention order or to cancel the order, then you can contact the police and tell them the reasons why you want the order changed, or you can make an application before the Court.

- The police may not agree to appear in court for you in an application to vary or revoke an intervention order if they believe this will increase the risk that you or your family will suffer further domestic violence.

- A court hearing must be scheduled for an Intervention Order to be changed or cancelled.
- Only the court can change or cancel an order.
- The Protected Person and the Defendant will be advised of the time and date of the hearing.
- The Protected Person must attend the court hearing for this.

If you need to take out an Intervention order against someone, or you have been informed that someone wants to take an Intervention Order out against you, please call Georgiadis Lawyers for assistance and speak with a helpful member of our team.

Disclaimer

The information in this article is not to be relied upon for the purposes of legal advice. It is general information only. If you require specific legal advice in relation to your matter, please call Georgiadis Lawyers on 8231 5255 to make an appointment.