

Understanding Domestic Violence and AVOs

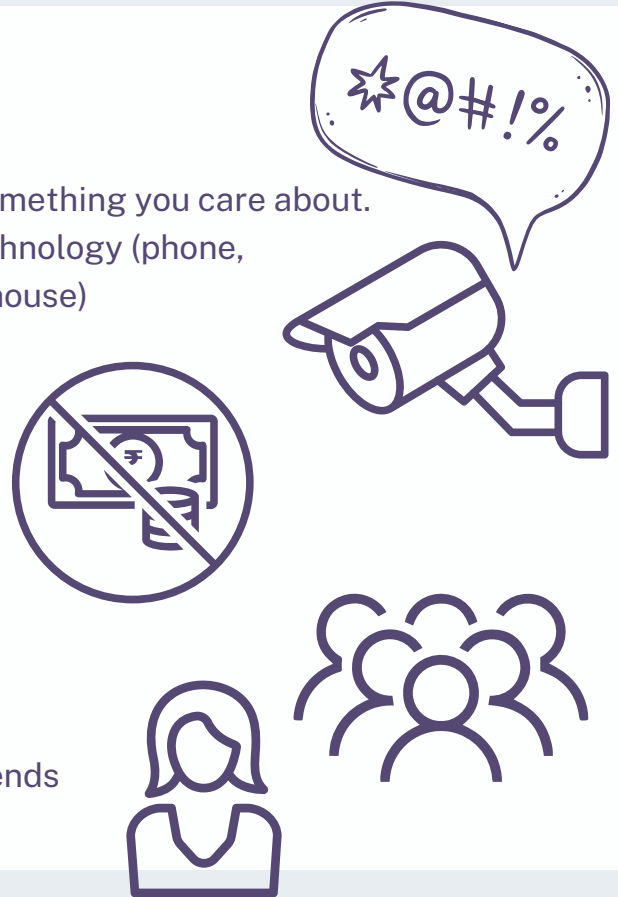


What is domestic violence?

- When someone in your family or someone close to you hurts you, or tries to control you.
- The major impact of domestic violence is **fear**.

Examples of domestic violence

- **Physical violence** - hitting, punching, and kicking
- **Verbal abuse** – yelling at you or calling you names
- **Intimidation** – threats to harm you or someone or something you care about.
- **Stalking** - following you or monitoring you using technology (phone, computer, tracking device, security cameras in the house)
- **Financial abuse:**
 - Taking away your money
 - Refusing to give you any money
 - Controlling how you spend money
- **Coercive control:**
 - Controlling what you were
 - Controlling where you go
 - Controlling who you see
- **Isolation:**
 - Not letting you see or talk to your family and friends
 - Isolating you from your culture or religion



What is an AVO?



- **AVO = Apprehended Violence Order**
- An order of the Local Court
- Protects you and your kids from someone who makes you afraid for your safety.
- Tells the person they are not allowed to do certain things or behave in certain ways.
- Does not give someone a criminal record.
- Usually lasts for 2 years

How do you get an AVO?

Police

If you are in danger go to the police or ask them to come to you.

Report the incident to the police.

Police apply for the AVO on your behalf.

They might make an on the spot “provisional” order to protect you.

OR

Apply at the local court.

Usually lawyers at court can help you.

Tell them what happened and why you are scared.

Local Court

Apply privately to the court using a lawyer to help you.

What orders can be made in an AVO?

All AVOs tell the person who is hurting you:

- Don't hurt me.
- Don't hurt my pets.
- Don't make me scared.
- Don't damage my property.
- Don't follow me around.

Don't come into my home or my work.

Don't go within 100m of my home or my work.

Speak to the police or your lawyer about which orders you need.

They can ALSO include:

Don't go near the children's school or daycare

Don't contact me except through a lawyer.

Don't drink alcohol or take drugs, & then see or contact me in any way.

Don't destroy my place or my things.

Criminal Charges and AVOs

If the person does not follow the AVO orders it is called a 'breach'.

A breach is a criminal offence. The penalty could be a fine or prison.

- An AVO and a criminal offence have a different legal test
- Sometimes police charge a person at the same time as making an AVO against them.
- When someone is charged with a criminal offence, the court must make an "interim" (short-term) AVO to protect the victim until the charges are dealt with.
- If found guilty of an offence, a final AVO will be made. The offence will go on the person's criminal record.
- If found not guilty, the court will consider separately whether to make the AVO.



Getting help...

For domestic violence

- NSW Police - 000
- NSW Domestic Violence Line, 24/7 - 1800 656 463
emergency accommodation & other support services
- 1800 RESPECT, 24/7 - 1800 737 732
counselling for sexual assault, domestic & family violence

Urgent financial help

- Victims Services NSW - 1800 633 063
Immediate Needs Support Payment & other payments
- Wesley Mission - 1800 387 387
Escaping Violence Payment
- Centrelink - 131 202
Special Benefit
- Australian Red Cross - 1800 733 276
Family and domestic violence financial assistance

Legal advice

- Women's Legal Service NSW - 1800 WLS NSW
- Law Access, 9-5 Mon-Fri - 1300 888 529
legal information and referrals
- Legal Aid - offices all over NSW
call Law Access or visit legalaid.nsw.gov.au
- Women's Domestic Violence Court Advocacy Service - 1800 938 227 (women only)
support for women involved in AVO proceedings

Housing

- Link2Home - 1800 152 152
crisis accommodation helpline
- Start Safely - 1800 656 463
short to medium private rental assistance
- Staying Home Leaving Violence
DCJ & NSW Police program in location across NSW

Other help

- Women's Health Centres NSW - 02 9560 0866
there are 21 centres around NSW
- Counselling Support - *contact your local women's health centre or Victims Services NSW*