

Understanding the Conditions on a Domestic Violence Order

Every domestic violence order has conditions which are designed to meet the safety needs of the person seeking protection, who is known as the Aggrieved.

The Respondent is the person the order has been made against.

It is a criminal offence to disobey any of the conditions outlined on the domestic violence order.

If you are the Respondent, it's important you follow them.

Every Domestic Violence Order has one standard condition. That is "to be of good behaviour and not commit domestic violence against the Aggrieved or any other person named on the order.

But the court can also include other conditions on an order. For example, if you are a Respondent, the order may require:

- that you not contact the Aggrieved in any way, including by phone, SMS, email, or using social media.
- that you not ask someone else to contact the Aggrieved for you.

Or, that you stay a certain distance away from a particular place, such as the area where the Aggrieved lives or works.

A condition on an order might also stop you going near your child's school.

There can be more than one person protected under a Domestic Violence Order, including children or other relatives. All of these people will be named on the order, and some or all of the conditions on the order will also apply to them.

If you are the Respondent and your children are named on the order, the conditions may prevent or limit your contact with your children.

If you already have family law orders with orders about time with your children, you should obtain your own legal advice about how conditions on the Domestic Violence and family law orders relate to each other in your situation.

The court can also make what is known as an 'ouster' condition'. If you are the Respondent, an ouster condition means you must leave the house you share with the Aggrieved – even if you own it or the house is rented in your name.

Before making an ouster condition, the court might ask you for your view, but even if you disagree the court can still make this order.

Understanding the conditions on a DVO - Video Transcript

If ordered to leave your home, the court can allow you to return with a police officer to collect personal items.

DV Connect can put you in touch with services which can support you through this process and help you to find alternative accommodation.

You can also visit the Queensland Courts website for a list of support agencies in your area.

If you have a weapons licence, and a Domestic Violence Order is made against you, your weapons licence will be suspended or cancelled and you may not be able to obtain another licence for up to 5 years. If you are concerned about how this applies to you, or the impact it may have on your employment, seek legal advice.

A Temporary Protection Order can be made to provide protection for the Aggrieved until the court can consider the case in more detail. At the final court hearing, the magistrate will decide whether to make a full Protection Order which can last up to two years or longer, if this is needed for the safety of the aggrieved.

If you're served with a Temporary Protection Order or Protection Order, it's very important you obey all the conditions on it.

If you don't, you are committing a criminal offence and may face criminal charges.