

FORM DV1

Domestic and Family Violence Protection Act 2012 (s.32)

Application for a Protection Order

Please note: A copy of this application will be provided to the Aggrieved, Applicant, Respondent and Police

1. Aggrieved's details

If the aggrieved does not want the respondent to know their home address please either:

- Give an address where court documents can be sent e.g. post office box or
- Complete an "Aggrieved Details Form" which will not be provided to the respondent

Given Name/s

Family Name

Date of birth

Address *Leave blank if you do not want this information to be given to the other party

Gender

Home Number

Mobile Number

Work Phone

Email

SPI # (QPS Only)

Does the aggrieved require an interpreter? No

Yes

Language/Dialect:

Does the aggrieved identify as: Aboriginal

Torres Strait Islander

Aboriginal and Torres Strait Islander

Neither

Does the aggrieved have a disability, illness or impairment where support and/or special arrangements are required? No

Yes

Is the aggrieved under 18 years of age? No

Yes

Please supply the details of a parent as all documents must be given to a parent of the aggrieved unless the court orders otherwise.

Parent's Name

Parent's Address

Proceed to Question 2

2. Respondent's Details

Given Name/s

Family Name

Date of birth

Address

Gender

Home Number

Mobile Number

Work Phone

Email

SPI # (QPS Only)

Does the respondent require an interpreter? No

Yes

Language/Dialect:

Does the respondent identify as: Aboriginal

Torres Strait Islander

Aboriginal and Torres Strait Islander

Neither

Does the respondent have a disability, illness or impairment where support and/or special arrangements are required? No

Yes

Current place of employment

Vehicle Model:

Vehicle Registration

Is the respondent under 18 years of age? No Yes

Please supply the details of a parent as all documents must be given to a parent of the respondent unless the court orders otherwise.

Parent's Name

Parent's Address

**If you are the aggrieved, proceed to Question 4
If you are not the aggrieved proceed to Question 3**

3. Applicant's Details

This section only applies if a person other than the aggrieved is making the application. Please complete either Part A, B, C or D.

PART A – A person being authorised by the Aggrieved

Given Name/s

Family Name

Gender

Address **leave blank if you do not want this information to be given to the other party*

Is the authorisation of the aggrieved in writing? No Yes

If the authorisation is not in writing, how is authorisation communicated from the aggrieved?

PART B – A person acting under another Act for the Aggrieved

Name

Gender

Address

Who is the application being made by? A guardian Adult Guardian Enduring power of attorney

Other, please specify:

PART C – A Police Officer

Full Name including Rank:

Registration #

Station

Police Occurrence #

Has the aggrieved been advised of this application? No Yes

Has the application resulted from the detention of the respondent? No Yes

Is this an application for an urgent temporary protection order under section 130? No Yes

If yes, has an application for a domestic violence order already been made? No Yes Court File Number:

PART D – A party to a child protection proceeding

Given Name/s

Family Name

Gender

Address

[Empty text box for address]

What type of party to a child protection proceeding are you?

A child for whom an order is sought in a child protection proceeding

A separate legal representative for a child for whom an order is sought in a child protection proceeding

An applicant or respondent in a child protection proceeding

Proceed to Question 4

4. Temporary Protection Order

Do you wish the court to make a temporary protection order? No Yes

If you request a temporary protection order before the respondent has been given a copy of the application, you will have to show the court that there are reasons why it is necessary or desirable for you or a named person to be protected by a temporary protection order before the respondent is given a copy of the application.

Please state reasons below (attach extra pages if necessary):

[Large dashed-line text area for providing reasons]

Proceed to Question 5

5. Relationships between the aggrieved and the respondent

What is the relationship of the aggrieved to the respondent?

Intimate Personal Relationship – Please tick one

a) Spousal Relationship: Married Former Spouse De Facto Civil Partnership
Parent/Former Parent of a Child

b) Engaged Were Engaged

c) Couple State the nature of the relationship including the level of dependency on each other whether financial or otherwise; length of time of the relationship; frequency of contact and degree of intimacy, if any.

[Large dashed-line text area for describing the nature of the relationship]

Family Relationship

Relation to respondent (for example parent, sibling, aunt, cousin, stepchild, a person is regarded as a relative)

[Empty text box for relation to respondent]

Informal Care Relationship

Nature of relationship

[Empty text box for nature of relationship]

Address

Do you wish this child to be named on the order? No Yes

SPI # (QPS Only)

State grounds as to why the child/children are to be named on the order

Proceed to Question 8

8. Relatives or associates you would like to be named on the order

Full Name of **Relative**

Gender

Date of birth

Address

SPI # (QPS only)

Full Name of **Relative**

Gender

Date of birth

Address

SPI # (QPS only)

Full Name of **Associate**

Gender

Date of birth

Address

SPI # (QPS only)

Full Name of **Associate**

Gender

Date of birth

Address

SPI # (QPS only)

State grounds as to why it is necessary or desirable to protect the relative/associate.

Proceed to Question 9

9. Weapons and explosives

Does the respondent have access to any weapons or explosives? No Yes

State the number, type of weapon/s or explosives and all possible locations of the weapon and explosives

Empty text box with a dashed horizontal line across the middle.

Did the respondent use, or threaten to use an explosive, a weapon or another thing used as a weapon, during any incident of domestic violence?

No Yes Provide details

Empty text box with a dashed horizontal line across the middle.

Has the respondent been issued with a weapons or firearms or explosives licence? No Yes

If the respondent has access to any weapons, ammunition or explosives at their place of residence, please provide details

Empty text box.

Proceed to Question 10

10. Details of any other orders

Has a court made any other order or are there other court proceedings that involve the aggrieved and the respondent? *Please attach copies*

Childrens Court orders	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Queensland Domestic Violence Order	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Police Protection Notice	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Voluntary Intervention Order	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Interstate Domestic Violence Order (including New Zealand)	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Family Court Orders	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Other relevant court order <input type="text"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Is there a current Protection Order application that has not been decided by the court? No Yes Attach a copy of the application

Proceed to Question 11

11. Conditions sought in the order

A court making a domestic violence order must impose a condition that the respondent –
Be of good behaviour towards the aggrieved and not commit domestic violence against the aggrieved.

If the order includes a named person who is an adult-
Be of good behaviour towards the named person and not commit associated domestic violence against the named person.

If the order includes a named person who is a child -
Be of good behaviour towards the child and not commit associated domestic violence against the child and not expose the child to domestic violence.

A court may also impose any other condition that the court considers necessary in the circumstances and desirable in the interests of the aggrieved, any named person or the respondent.

Do you want the court to consider any other conditions for inclusion in the protection order?

No Go to Q12 Yes Please indicate below

A) Do you want the respondent to leave specified premises? No Yes

If yes, state address of premises and provide reasons:

Empty text box with a dashed horizontal line across the middle.

B) Do you want to prohibit the respondent from remaining at; entering or attempting to enter or approaching premises? No Yes

If yes, the premises to which the respondent is not to come or approach are:

The aggrieved's place of residence The aggrieved's place of employment The place the aggrieved is currently staying

Places where the aggrieved frequents, namely

Associates/relatives place of residence (if there is a named person at Question 8)

Give reasons

C) Do you want to prohibit the respondent approaching the aggrieved? No Yes
Does this include any associates or relatives (if there is a named person at Question 8)?

Give reasons

D) Do you want to prohibit the respondent from contacting the aggrieved or asking someone else to contact the aggrieved? No Yes
Does this include any associates or relatives (if there is a named person at Question 8)? No Yes

Give reasons

E) Do you want to prohibit the respondent's presence at or in a place associated with any child (e.g. school, day care etc) No Yes

Give reasons

F) If the respondent does not know the aggrieved's whereabouts, do you want to prohibit the respondent from trying to locate them or asking someone else to locate them? No Yes

Give reasons

G) Does the aggrieved wish to recover essential property? No Yes
Describe the property and state address where this property can be located.

H) Do you want the court to consider prohibiting any other conduct or behaviour on the part of the respondent? No Yes
Specify that conduct or behaviour complain of and give reasons

12. Statutory Declaration

[If this statutory declaration is being declared in accordance with the Oaths Act 1867 requirements before a special witness (either remotely and/or using electronic signature/s) DO NOT USE the content below. INSTEAD use DV Form 01E Special Witness Statutory Declaration for DV forms] *delete these instructions

The applicant, except if a member of the Queensland Police Service, must sign this application in the presence of a Justice of the Peace, Commissioner for Declarations, or a Solicitor

I, the applicant do solemnly and sincerely declare the contents of this application are true and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1867*.

I understand that a person who provides a false matter in a declaration commits an offence.

Declared by

at

QUEENSLAND

on

/ /20

[insert full name of declarant]

Signature of declarant

x

In the presence of

on

/ /20

[insert full name of witness]

[insert type of witness]¹

* delete if not applicable

[insert name of law practice / witness's place of employment]^{*2}

Signature of witness

x

I am applying for a temporary protection order before the respondent has been served with a copy of the application and have not been able to have my statutory declaration witnessed as required under the *Oaths Act 1867* due to the urgency of the application. I am submitting an unverified application and am aware that my application will need to be verified before the application can be decided.

Queensland Police Service Applicant

The applicant, if a member of the Queensland Police Service, must sign this application and provide the details below:

Full Name and Rank:

Registration No:

Signature:

Date:

Notes to the respondent

If you do not appear in court a domestic violence order may be made in your absence. The court may issue a warrant for you to be taken into custody by a police officer and brought before the court if the court believes that it is necessary for you to be heard.

Office Use Only

Court file number (if known) :

YOU ARE NOTIFIED that this application will be heard at the time and place as follows:

Court:

Place:

Date:

Time:

Signature
Clerk of the Court/Queensland Police Service

The footnotes are to assist in the completion of the form and can be deleted once complete.

Explanatory guides relating to making a statutory declaration in Queensland are available
at [Statutory Declaration Forms - Datasets | Publications | Queensland Government](#).

¹ Insert the witness's capacity that makes them eligible to witness the statutory declaration, including as a special witness under section 16C or part 6A of the *Oaths Act 1867*. For example, Australian legal practitioner, lawyer, justice of the peace, commissioner for declarations, notary public, a justice of the peace or commissioner for declarations approved by the Chief Executive under section 12(2) of the *Oaths Act 1867*, government legal officer, etc.

² For example, the name of the law practice for the Australian legal practitioner, the name of the government department of the government legal officer, the name of the law practice for a justice of the peace who witnesses documents for a law practice, etc.