

Guide to Completing an Application for Court Review of a Police Protection Direction

Overview

This guide is to help you complete the following applications:

- Form DV59A Application for Court Review of Police Protection Direction
- Form DV59B Police Protection Direction Respondent Application for Protection Order.

These application forms require similar information to the Application for a Protection Order, and this Guide should be read along with the [Guide to Completing an Application for a Protection Order](#).

If you need an interpreter to assist you to get legal help, please call the Translating and Interpreting Service on 13 14 50. The service will organise an interpreter in your language and will connect you to [Legal Aid Queensland](#).

Note: The Police Protection Direction **will remain enforceable** while the court review process proceeds. All parties must continue to obey the Police Protection Direction and all its conditions unless directed otherwise by a Magistrate.

Note: If you or another party have applied to the Queensland Police Service to review a Police Protection Direction, that police review will automatically stop once an Application for Court Review is filed at a Magistrates Court.

Definitions

These are the meanings of terms in the Application for Court Review of Police Protection Direction and Application for Leave to Make Further Application for Court Review of Police Protection Direction:

Police Protection Direction (also known as a PPD)	A direction given by a police officer in response to acts of domestic violence.
Court Review of Police Protection Direction	A review by a Magistrates Court of a Police Protection Direction that is requested by a party seeking a review of the Direction, including a request to set aside or end the Police Protection Direction.
Police Protection Direction Respondent Application for Protection Order	An application made by a respondent in a Police Protection Direction, requesting a protection order be made naming them as the aggrieved.
Applicant	The person applying for a court review of a Police Protection Direction (see 'Who can apply' section below).
Aggrieved	The person in the Application for Court Review who needs protection. This may be different to the person who is listed as the aggrieved on the Police Protection Direction.
Respondent	The person who the Aggrieved is seeking protection from. This may be different to the person who is listed as the respondent on the Police Protection Direction.

Confidential details form	A form to record your address, phone number and email address if you do not want the other parties to see this information. The details provided on this form are for confidential court use only and will not be provided to other parties.
Leave of the court	Permission from the court to do something.
Temporary protection order (also known as a TPO)	An order made in the period before a court decides whether to make a protection order.
Protection order (also known as a PO)	A final order made by the court imposing conditions on the respondent.
Domestic violence order (also known as a DVO)	A protection order or a temporary protection order.
Intervention order	An order the court may make when making or varying a domestic violence order. This order may require the respondent to attend a domestic violence intervention program (behaviour change program) and/or counselling.
Grounds	The reasons for the application.
Named person	A child, relative or associate <i>named</i> on the domestic violence order who is also protected by the domestic violence order or Police Protection Direction.
Serve	To deliver or give the application or order to the respondent of the application. If the respondent is present in court when the order is made, they are deemed to have been served. Otherwise, service is usually done by the police.

Who can apply for a Court Review of Police Protection Direction?

An application for a court review can be made by:

1. The respondent on the Police Protection Direction
2. The aggrieved on the Police Protection Direction
3. An authorised person for the aggrieved
4. A person acting under another Act for the aggrieved.

Note: A named person on the Police Protection Direction **cannot** apply for a court review of a Police Protection Direction. However, a named person can apply to the Police for a Police Review of Police Protection Direction within 28 days of the Police Protection Direction grounds being served on the respondent.

Effect of applying for a Court Review of Police Protection Direction

Note: The Police Protection Direction **will remain enforceable** while the court review process proceeds. All parties must continue to comply with the Police Protection Direction unless directed otherwise by a Magistrate.

Application/s for a Protection Order:

*If you are listed as the **aggrieved** on the Police Protection Direction or are authorised or acting for the aggrieved:*

- If you (the aggrieved person) apply for a Court Review of a Police Protection Direction, the police are required under the legislation to apply to the court for a protection order based on the information contained in the Police Protection Direction.
- The police application is an automatic process.
- This means the court will decide whether to make a protection order against the respondent.
- A protection order typically lasts for 5 years and may include conditions to protect other people like family members, children of the aggrieved, or people the aggrieved knows.

*If you are listed as the **respondent** on the Police Protection Direction:*

- An authorised person or a person acting under another Act **cannot complete the form for you.**
- If you (the respondent) apply for a court review of a Police Protection Direction, the police are required under the legislation to apply to the court for a protection order against you based on the information contained in the Police Protection Direction.
- The police application is an automatic process.
- You may also choose to fill in a form DV59B Police Protection Direction Respondent Application for Protection Order to request a protection order be made against the person named as the aggrieved in the Police Protection Direction.
 - In this situation, the police application for a protection order against you (the respondent) will be treated as the first application, and your application against the aggrieved will be treated as a cross-application.
- A protection order typically lasts for 5 years and may include protections for other people like family members, children of the aggrieved, or people the aggrieved knows.

Leave to make further Application for Court Review of Police Protection Direction:

If you have previously applied for review of the Police Protection Direction and the review was dismissed, you will need to seek permission from the court to make another Application for Court Review of Police Protection Direction. This process is called 'seeking leave of the court'.

Existing applications for Police Review of the Police Protection Direction

If you or another party have applied to the Queensland Police Service to review a Police Protection Direction, that police review will automatically stop once an Application for Court Review is filed.

Possible Outcomes

The court may:

- Make a temporary protection order
- Make a final protection order:
 - If the court makes a final protection order, it may also make an intervention order requiring the respondent to go to a domestic violence intervention program (behaviour change program) and/or counselling.

- Dismiss the Application for Court Review of a Police Protection Direction:
 - If the application is dismissed, the Police Protection Direction will continue to apply and remains enforceable; and
 - If the same applicant wishes to make another Application for Court Review of the Police Protection Direction, they must first apply to the court for leave (permission) to make a further application.
- Order the Police Protection Direction be set aside:
 - If the Police Protection Direction is set aside, it is taken to never have been issued; and
 - The Police Protection Direction will not form part of the respondent's domestic violence history.
- Order the Police Protection Direction is ended:
 - If the Police Protection Direction is ordered to end, it ends on a stated date; and
 - The Police Protection Direction will still remain on the respondent's domestic violence history.

The court may not:

- Vary a Police Protection Direction.

Legal and Support Services Resources

Information is available on the Queensland Courts website relating to domestic and family violence and the court process — [Domestic and family violence | Queensland Courts](#)

Your local court registry can also provide you with contact details for legal and support services within your area.

Legal Advice Resources

Legal Aid Queensland: What is a Police Protection Direction?

<https://www.legalaid.qld.gov.au/Find-legal-information/Publications-and-resources/What-is-a-Police-Protection-Direction>

- **Legal Aid Queensland**
 - 1300 65 11 88
 - <https://www.legalaid.qld.gov.au/Get-legal-help>
- **Community Legal Centres Queensland**
 - 07 3392 0092
 - <https://www.communitylegalqld.org.au/>
- **Queensland Law Society – You & The Law (Find a Solicitor) Service**
 - <https://www.youandthelaw.com.au/directory>

Department of Families, Seniors, Disability Services and Child Safety information sheets

<https://www.families.qld.gov.au/our-work/domestic-family-sexual-violence/end-domestic-family-violence/our-progress/strengthening-justice-system-responses/police-protection-directions>