

FORM DV59A

Domestic and Family Violence Protection Act 2012 (s.100Z)

Application for Court Review of Police Protection Direction

Note before completing this form:

- A copy of this application will be provided to the police, and to each of the following people (other than the Applicant):
 - a) the person named as the Aggrieved in the Police Protection Direction;
 - b) the person named as the Respondent in the Police Protection Direction;
 - c) an authorised person for the person named as the Aggrieved in the Police Protection Direction;
 - d) a person acting under another Act for the person named as the Aggrieved in the Police Protection Direction; and
 - e) a named person in the Police Protection Direction.
- For more information about completing this form, please refer to Form DV59C: 'Guide to Completing an Application for Court Review of a Police Protection Direction' on the Courts Website (<https://www.courts.qld.gov.au>)

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

Upon this application being filed, and upon the Police Protection Direction being filed, the Police Protection Direction will be taken to be an application for a protection order on your behalf.

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

Upon this application being filed, and upon the Police Protection Direction being filed, the Police Protection Direction will be taken to be an application for a protection order against you.

If you wish to apply for a protection order against the other party, please complete: Form DV59B 'Police Protection Direction Respondent Application for Protection Order'

OFFICE USE ONLY

Court File No.

NOTICE TO PARTIES

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

Court

Place

Date

Time

Signature
Registrar/Clerk of the Court

PART A — PREVIOUS APPLICATION FOR COURT REVIEW

1. Previous application for a court review

1A. Have you previously applied for a court review of **this** police protection direction? No Yes

If No, go to PART B.

If Yes, go to QUESTION 1B below.

1B. Have you received leave of the court to make this application under s100ZD(4)(b)? No Yes

If No, you must first seek leave of the court by completing FORM DV61 - APPLICATION FOR LEAVE TO MAKE FURTHER APPLICATION FOR COURT REVIEW OF POLICE PROTECTION DIRECTION.

If Yes, provide a copy of the court's order with this application.

Proceed to PART B

PART B — APPLICATION FOR COURT REVIEW

2. Applicant's Details

2A. About the Applicant

If you do not want the other party to know your home address, please either:

- Give an address where court documents can be sent (for example, a post office box or legal representative's address); or
- Complete a 'DV01C - CONFIDENTIAL CONTACT DETAILS FORM' which will not be provided to the other party

Given Name/s

Family Name

Date of Birth

Address *leave fields marked with a * blank and complete a Form DV01C if you do not want this information to be given to the other party

Gender

Home Phone*

Mobile Phone*

Work Phone

Email Address*

Do you require an interpreter? No Yes Language / Dialect:

Do you identify as: Aboriginal Torres Strait Islander Aboriginal and Torres Strait Islander Neither

Do you have a disability, illness or impairment where support and/or special arrangements are required? No Yes

If Yes, specify support and/or special arrangements required:

2B. What type of Applicant are you?

- I am the Aggrieved in the Police Protection Direction
- I am the Respondent in the Police Protection Direction
- I am an authorised person for the Aggrieved in the Police Protection Direction
(if ticked, please provide proof of authorisation)
- I am a person acting under another Act for the Aggrieved in the Police Protection Direction

2C. Acknowledgement of subsequent police application

- I understand that filing this application will cause Police to apply to the court for a protection order based on the information contained in the Police Protection Direction.

Proceed to QUESTION 3

3. Police Protection Direction Details

Complete this section to the best of your ability using the information in the Police Protection Direction.

3A. About the Police Protection Direction

Date issued

Occurrence (QP) No.

Details of issuing police officer (name, rank, number):

3B. Aggrieved's details as stated in the Police Protection Direction

- Same as 'Applicant's Details' in QUESTION 2 above; or complete the following:

Given Name/s

Family Name

Date of Birth

3C. Respondent's details as stated in the Police Protection Direction

Same as 'Applicant's Details' in QUESTION 2 above; or complete the following:

Given Name/s	Family Name	Date of Birth
<input type="text"/>	<input type="text"/>	<input type="text" value="/ /"/>

3D. Details of any named persons in the Police Protection Direction

Are any other persons named in the Police Protection Direction? No Yes

If No, go to QUESTION 4.

If Yes, provide details below (*attach extra pages if necessary*)

Named Person 1

Given Name/s	Family Name	Date of Birth
<input type="text"/>	<input type="text"/>	<input type="text" value="/ /"/>

Relationship to parties

Named Person 2

Given Name/s	Family Name	Date of Birth
<input type="text"/>	<input type="text"/>	<input type="text" value="/ /"/>

Relationship to parties

Named Person 3

Given Name/s	Family Name	Date of Birth
<input type="text"/>	<input type="text"/>	<input type="text" value="/ /"/>

Relationship to parties

Named Person 4

Given Name/s	Family Name	Date of Birth
<input type="text"/>	<input type="text"/>	<input type="text" value="/ /"/>

Relationship to parties

Proceed to QUESTION 4

4. Outcome Sought and Grounds

4A. Which of the following orders do you want the court to make when reviewing the Police Protection Direction?

Refer to Form DV59C: 'Guide to Completing an Application for Court Review of a Police Protection Direction' for an explanation of these orders.

Police Protection Direction Set Aside No Yes

Police Protection Direction Ended No Yes

Other outcome (please specify below) No Yes

<input type="text"/>
<input type="text"/>
<input type="text"/>

4B. State the grounds as to why the outcome is sought. Attach extra pages if necessary.

Lined area for text entry.

PART C — STATUTORY DECLARATION

5. Statutory Declaration

The applicant must sign this application in the presence of a Justice of the Peace, Commissioner for Declarations, or a Solicitor as defined by the *Oaths Act 1867* (if applicable).

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 makes a declaration that the person knows is false in a material particular commits an offence.

I state that: (**delete or strikethrough whichever statements are not applicable*)

- A. This declaration was made in the form of an electronic document*¹
- B. This declaration was electronically signed*²
- C. This declaration was made, signed and witnessed under part 6A of the *Oaths Act 1867*.^{*3}

Declared by [] at [], QUEENSLAND on [] / [] / 20

[insert full name of declarant]

Signed for and at the direction of the declarant by* (*delete if not applicable*)

[Signature box]

[insert full name of substitute signatory] *

Signature of declarant / substitute signatory*

✘

[Australian legal practitioner/government legal officer/
employee of the Public Trustee, as applicable]*⁴
(*delete if not applicable)

In the presence of

[insert full name of witness]

[insert type of witness]⁵

on

/ / 20

[insert witness's place of employment / employment address /
home address / telephone number / email address / law practice, as applicable]⁶

Signature of witness

✘

I am applying for a temporary protection order before the person against whom protection is sought 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.

For special witnesses or other prescribed persons to complete – Tick as applicable

- I am a special witness or another prescribed person under the *Oaths Act 1867*. (see sections 12, 16C and 31S of the *Oaths Act 1867*)
- This document was made in the form of an electronic document.⁷
- I electronically signed this document.⁸
- This statutory declaration was made, signed and witnessed under part 6A of the *Oaths Act 1867* – I understand the requirements for witnessing a document by audio visual link and have complied with those requirements.⁹

Notice to the Parties

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.

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 Include this statement if you electronically signed the document, or if you physically signed the document over audio visual link and then sent a scanned copy of that document to the witness.

² Include this statement if you or your substitute signatory electronically signed the document using an accepted method under the *Oaths Act 1867*. Do not include this statement if you signed the document on paper.

³ Include this statement if the document was made over audio visual link.

⁴ Substitute signatory to include additional information if directed over audio visual link. A person may be directed by audio visual link to sign a document for a signatory only if the person is: an Australian legal practitioner; or a government legal officer under the Legal Profession Act 2007 (who is an Australian lawyer but not an Australian legal practitioner and witnesses documents in the course of the government work engaged in by the officer); or is an employee of the public trustee (s 31P, *Oaths Act 1867*).

⁵ 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.

⁶ Legal practitioners who witness this document as a special witness must include their law practice (s 13E, *Oaths Act 1867*). If you are not an Australian legal practitioner or an approved JP or CDec, at least one of the following must be included on the document: the name of your place of employment, your employment or home address, your telephone number or your email address. If there are concerns about

domestic, family or sexual violence, you should use your discretion and include the information (from the options listed) that minimises the risk of exposing the location of the signatory or other affected persons.

- ⁷ Tick this box if you electronically signed the document or if you physically signed the document and sent a scanned copy of that document to the signatory.
- ⁸ Tick this box if you electronically signed the document using an accepted method under the *Oaths Act 1867*. Do not tick this box if you signed the document on paper.
- ⁹ Tick this box if the document was made over audio visual link.