

FORM 10

NORTHERN TERRITORY OF AUSTRALIA

Domestic & Family Violence Act

Section 72

Case No:

**APPLICATION TO REVIEW POLICE ORDER MADE UNDER
SECTION 72**

APPLICANT:

DEFENDANT:

PROTECTED PERSON(S):

I, (protected person or defendant) apply to a Magistrate for the review of order of the (date of order) on the following grounds:

.....
.....
.....
.....

ORDER

I, a Magistrate having considered the application be telephone/facsimile for review of the order of (date of order) by (name of person applying):

- (1) Confirm the order of (date of order);
- (2) Confirm the order of (date of order) with the following variations:

.....

.....
(3) Revoke the order of(date of order)

The reasons for making the above order are:

(Magistrate to record reasons):

.....

.....

.....
Magistrate to sign his/her copy

.....
Member of the Police Force to endorse his/her copy with Magistrate's name
I further order that this order is returnable on the day of
..... 20....., at am/pm. at
the Court of Summary Jurisdiction at in the
Northern Territory of Australia to be further dealt with and for the defendant to
appear before the Court to show cause why this order should not be confirmed.

.....
Magistrate to sign his/her copy

NOTICE TO DEFENDANT: If you do not appear at the above-mentioned time and place, the order may be confirmed in your absence. If you do not comply with the order as varied you could be found guilty of an offence punishable by 2 years imprisonment or a fine of \$44,000 for a first offence; for a second or subsequent offence, if the non-compliance results in harm to the protected person, you would be liable to a mandatory term of imprisonment (detention if defendant is a young person) for not less than 7 days or more than 2 years.

A domestic violence order made or varied in the Northern Territory may be registered and enforced, without notice to you, in a State or another Territory of the Commonwealth or in New Zealand if there is a law in force in the relevant jurisdiction to provide for the registration and enforcement of the order.

NOTES:

- (1) Only members of the Police Force can make applications under section 64.
- (2) For the purposes of the Act, a person is in a domestic relationship with another person if he or she –
 - (a) is or has been a relative of the other person (see section 3 of the *Domestic & Family Violence Act*), including –

- (i) a spouse, including a spouse of the person according to Aboriginal tradition, a former spouse of the person, a de facto partner of the person and a former de facto partner of the person; or
 - (ii) a relative according to Aboriginal tradition or contemporary social practice;
 - (b) has or had the custody or guardianship of, or right of access to, the other person, or is or has been subject to the custody or guardianship of the other person or that other person has or has had a right of access to the person;
 - (c) ordinarily or regularly resides or has resided with the other person, or with another relative, of the other person;
 - (d) is or has been a relative of a child of the other person; or
 - (e) has or has had an intimate personal relationship with the other person.
 - (f) has or has had a carers' relationship with the other person.
- (3) Here list the details of existing orders affecting the defendant and the person for whose benefit the order is being sought that the person knows of, e.g. home detention orders, other domestic violence orders under this Act or orders under any other Act.

NOTE: In the case of any of the following matters under the *Family Law Act 1975* of the Commonwealth, you need only list them if they require or authorise contact between a child and the person for whose benefit the order is being sought or the defendant: parenting orders, parenting plans, recovery of children orders, specific issues orders, injunctions under section 68B or 114 of that Act, undertakings accepted by the Family Court or recognisances entered into pursuant to an order under that Act.
