

**FORM 11**

**NORTHERN TERRITORY OF AUSTRALIA**

*Domestic & Family Violence Act*

Section 71

Case No: .....

**SUMMONS TO A DEFENDANT TO SHOW CAUSE PURSUANT TO SECTION 71**

APPLICANT:

DEFENDANT:

PROTECTED PERSON(S):

TO:.....  
(the defendant)

of.....  
The attached application to vary the order in force in relation to you was made by.....  
of.....  
a member of the Police Force of the Northern Territory/a person who is in a domestic relationship with you/or a person making an application on behalf of a person who is in a domestic relationship with you\*  
and on.....  
a Court of Summary Jurisdiction or the Clerk (the Registrar of the Local Court) at.....  
made the variation of the order (as attached) in your absence.

You are summoned to appear at the Court of Summary Jurisdiction at ..... in the Northern Territory on ..... at ..... am./pm. to show cause why the attached variation of the order should not be confirmed.

Dated  
at  
in the Northern Territory.

.....  
Clerk of the Court/Justice of the Peace

TAKE NOTICE that if you do not appear the variation of the order may be confirmed in your absence.

- Non-compliance with the order as varied renders you liable to a term of imprisonment for not more than 2 years or a fine of not more than \$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 for 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.

\*Cross out whichever does not apply.

NOTE:

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 a personal relationship with the other person.
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