

FORM 7

NORTHERN TERRITORY OF AUSTRALIA

Domestic & Family Violence Act

Section 30

**APPLICATION FOR COURT OF SUMMARY JURISDICTION
DOMESTIC VIOLENCE ORDER SECTION 29(1) – CHILD
PROTECTION OFFICER**

Child Protection Officer:

Defendant incl DOB:

Protected Person incl DOB:

Protected Person incl DOB:

Protected Person incl DOB:

I, [name, position] an authorised person under the *Community Welfare Act* 1983/authorised officer under the *Care and Protection of Children Act* 2007 state that:

[delete where applicable]

- There are reasonable grounds for the protected person/s to fear the commission of domestic violence against the person/s by the defendant; (Section 18(1)).
- The protected person is a child and there are reasonable grounds to fear the child will be exposed (to see or hear the violence and to witness harm resulting from the violence) to domestic violence committed by or against a person with whom the child is in a domestic relationship (Section 18(2)).
- The protected person is a child and domestic violence has been committed or is being committed, or is likely to be committed and the child's wellbeing (including the child's physical, psychological or emotional development) has or is likely to be adversely affected. (Section 29 Mandatory Obligations).

A Domestic Violence Order is requested for [name of child/protected person] protection.

The Orders sought are:

1. The defendant is restrained from:
 - (a) contacting or approaching *the protected person/persons* directly or indirectly;
 - (b) harassing, threatening or verbally abusing *the protected person/persons*;
 - (c) assaulting or threatening to assault *the protected person/persons*;
 - (d) damaging or threatening to damage the property of *the protected person/persons*;
 - (e) remaining at any *place the protected person/persons* may be living, working or visiting;
 - (f) contacting or approaching *the protected person/persons* directly or indirectly, except via or in the presence of a solicitor, family dispute resolution practitioner or Centacare worker for the purposes of making arrangements for the children and/or property of the parties or in accordance with a Parenting Plan and/or Family Law Order;
 - (g) contacting or approaching *the protected person/persons* directly or indirectly, except for the purposes of making parenting arrangements for the children.
2. The defendant is ordered to vacate the premises occupied by the protected person.
3. The defendant is restrained from entering the premises occupied by the protected person, except on the following conditions:
 - (a)
 - (b)
4. The tenancy agreement between the defendant and (landlord's name) for (address) is with consent/without consent of the landlord, terminated and a replacement tenancy agreement is created on the same terms of the terminated agreement, except that the defendant shall no longer be named as a tenant.
5. With the consent of the defendant, the defendant is required to take part in (program) rehabilitation program.

6. Other

TAKE NOTICE that –

- Non-compliance with a domestic violence order renders the defendant liable to a term of imprisonment for not more than 2 years or to 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, the defendant 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 the defendant, 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.
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