

Person experiencing family violence applies for a Protection Order

Do they need protection urgently?

Yes

No



Person makes a Without Notice application to the court

To keep the applicant safe, the respondent won't get a chance to respond to the application until after a Temporary Protection Order is served



Person makes an On Notice application to the court

The respondent gets a chance to respond to the application in court before a Protection Order can be granted

Court grants Temporary Protection Order

On Police request, the court can also impose a Temporary Protection Order if a violent person breaches a Police Safety Order

*If the court doesn't agree that the application is urgent, it becomes an 'On Notice' application*

Temporary Protection Order served to the respondent

*The application lapses if the Order can't be served*

Application served to the respondent

*If the application can't be served it's withdrawn, discontinued or struck out*

*If the Order isn't defended by the respondent*



Court considers evidence at a hearing

A decision can be made even if the respondent doesn't come to court

Final Protection Order granted

The court can also impose a Sentencing Act Final Protection Order when a person with family violence charges is sentenced (if the victim doesn't object and there's no Protection Order in place)

*If the court doesn't grant a Final Protection Order, the application can be dismissed (and any Temporary Protection Order discharged), withdrawn, discontinued or struck out*