

How do I obtain an intervention order in Victoria?

What is a family violence intervention order?

An intervention order is, effectively, for your personal protection and that of your family, and can restrain a family member from approaching, contacting, or attending upon you, or your home, or workplace.

The Court can make an intervention orders to protect people who have experienced violent, threatening or abusive behaviour, and will also often include children who are in your primary care, or who have witnessed, or seen the effects of family violence.

What is family violence?

Family violence is behaviour between family members that is used to control, threaten, force or dominate a family member through fear. It includes emotional and financial abuse, as well as physical violence and sexual abuse. Examples include:

- an assault
- a sexual assault or other sexually abusive behaviour
- stalking
- repeated derogatory taunts
- intentionally damaging or destroying property
- intentionally causing death or injury to an animal



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- unreasonably denying the family member the financial autonomy that he or she would otherwise have had
- unreasonably withholding financial support needed to meet the reasonable living expenses of the family member, or his or her child, at a time when the family member is entirely or predominantly dependent on the person for financial support
- preventing the family member from making or keeping connections with his or her family, friends or culture, or
- unlawfully depriving the family member, or any member of the family member's family, of his or her liberty.

Family violence is also behaviour that makes a family member fear for their own safety or that of their family members, their property, or even an animal.

Family violence can have a significant impact on children, even if they are not present during an incident of violence.

Who are family members?

When making an application for a family violence intervention order, family members are:

- people who share an intimate personal relationship - for example, married, de facto or domestic partners
- parents and children, including children of an intimate partner
- relatives by birth, marriage or adoption, and
- people you treat like a family member - for example, a carer, guardian or person who is related to you within the family structure of your culture.

The law also protects a person from anyone who was a family member in the past.

What does a family violence intervention order do?

Intervention orders aim to restrict the behaviour of a perpetrator of family violence, and can include provisions which preventing them from contacting you, approaching you, or attending at your home or workplace, damaging property, publishing information about you on social media websites or the internet, keeping you under surveillance or following you, or arranging for another person to do so.

If you have an intervention order in place, and you believe the perpetrator has breached the conditions of the order, you should immediately contact the police by dialling 000.

Who can apply for a family violence intervention order?

If you think you need an intervention order you can apply for an order by contacting your local Magistrates Court to make an appointment.

Further information to ascertain the contact details of your local Magistrates Court can be found at www.mcv.vic.gov.au or by telephoning the Magistrates Court of Victoria at Melbourne on (03) 9628 7777. You can download the application form for an intervention order from the Magistrate's Court website (<https://www.mcv.vic.gov.au/intervention-orders>).

If your children are in your primary care, and have been exposed to family violence, or the effects of violence and/or you have concerns for their personal safety then you should include them as part of the application. If your child/ren are not living with you, but you believe they may be exposed to violence, whilst in another person's care, you are also able to apply for an intervention order on their behalf, provided they are under the age of 18 years.

In urgent circumstances, the police can apply for an intervention order on your behalf. If you are concerned by a person's behaviour, you should immediately contact the police by dialing 000, and if they determine that you or your family members are in danger, they can issue a safety notice.

Contact us

Our Family & Relationship Law team can provide you with advice regarding your family law matter. Please contact us for an obligation free discussion.



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