

TYPES OF FAMILY VIOLENCE RESTRAINING ORDERS

This fact sheet has information on 3 types of family violence restraining orders – police orders, FVROs and conduct agreement orders.

Police order (up to 72 hours)

When police go to a house or place because there is family violence or lots of arguing, the police might give the person doing the family violence a 'police order'. The police order has rules on it and might say the person must stay away from some people and places for 1, 2 or 3 days. If they break the rules, the police can arrest and charge them and maybe the magistrate will punish them.



If the person protected wants protection longer they might ask the court for an FVRO. They might do this while the police order is in place and the person doing the family violence is not around.

Family violence restraining order (FVRO)

An FVRO is a court order that tells someone not to hurt, threaten, control or scare another person in their family.



The FVRO might say that the people named in the order must stay away from each other. It might say they can't be together, talk on the phone, or be at the home or work of the other person. It might say they can be together but must not do some things, like call the person names or damage their property or their own in front of the other person. It might make someone move out of a house and find another place to live. It stops violence between those people happening in front of their kids.

A person who breaks the rules in an FVRO can be arrested and charged by the police and might be punished by a magistrate.

Conduct agreement order

When someone (the applicant) is asking for an FVRO, if the other person (the respondent) doesn't agree, the case will go to court. The respondent might instead agree to an order called a conduct agreement order (CAO). The respondent doesn't have to say they have done anything wrong, but will still have to follow rules like an FVRO. The applicant and respondent both might agree about not seeing each other and other things such as if they have kids, when the respondent will see their kids. The court will make those agreed things into rules on a legal paper, just like an FVRO. If the respondent breaks the rules in the CAO, the police might arrest and charge them and maybe the magistrate will punish them.



Undertaking

This is not an FVRO and is not a court order!

Read the fact sheet: **Undertakings – family violence restraining order cases** for more information.

