

WHAT IF SOMEONE GETS AN FVRO AGAINST ME?

This fact sheet has information on what you must do if someone has a family violence restraining order (FVRO) or a conduct agreement order (CAO) against you. The rules must be followed for both interim (or temporary) FVROs and final FVROs. The law says the rules on a CAO must be followed the same as for an FVRO.

If a final FVRO has not yet been made, read the fact sheet, 'When you are served with an interim FVRO or a summons' for information on what you can do.

Rules to follow

When an FVRO is made against you, or you agree to a CAO, you must follow its rules. The rules are about the way you behave with the other person or people named in the order. Sometimes these are called conditions. Sometimes they are called restraints.

Read your FVRO or CAO carefully so you know the rules you have to follow. Talk to a lawyer if you are not sure what the rules mean.



The rules in an order might include things like:

No family violence



You must not make trouble for any of the people who have their names written on the order. You must not hurt those other people or their animals, damage or threaten to damage their property or your property in front of them, call them names or make them feel unsafe or scared of you.

Stay away from some people

You must stay away from some people. The order will tell you the names of the people you must stay away from and how far away you must stay. If one of these people comes near you, you must move away so that you do not break the rule.



Do not talk to some people



You must not talk to the people named in the order. This means you must not call them on the phone, send them text messages, emails, messages on social media, letters or presents. You must not get someone else to do these things for you.

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Stay away from some places

You must stay away from some places. The order will tell you the places you must stay away from and how far you must stay. You must not go to those places. It might be where the people named in the order live or go to work. It might be houses, schools, other buildings, camps or communities.



No guns



You must not use or have access to guns (firearms) or ammunition. This means you must not hold or shoot a gun, keep guns at your house or drive a car with guns in it. If you have a gun licence it will usually be stopped, and you must give any guns and ammunition to the police. Talk to a lawyer about when you may be able to get your gun licence again.

The court might also say you can't have explosives or an explosives licence.

Don't damage property

You must not break or destroy things that belong to a person named in the order. This means you cannot smash their mobile phone, make holes in walls or doors of their house, smash windows in their car and house, burn clothes, mattresses or toys, or wreck artwork or cultural or ceremony things.



No trouble online



You must not make trouble online for the person named in the order. Sometimes this is called 'no contact online'. This means you must not use a phone, computer, the internet or social media to make the person upset, scared or cause them shame. You must not show pictures, stories or messages about the person in a way that other people can see them. You must not write about the person on social media, in chat rooms or the internet.

No sexy photos or videos

You must not share or threaten to share sexy photos or videos of the person named in the order. Sexy photos are private photos of people when they are naked or doing sexy things. Sexy photos can be used in a bad way to hurt or shame people, and this is not ok. Sometimes this is called revenge, and it can make lots of trouble for you. You must not text, email, snapchat or post sexy photos or videos of the person to anyone else. You must not put sexy photos or videos where other people can see them, like on social media or the internet.



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No alcohol or drugs



Sometimes an order might say that you can only be together with the person named in the order if you have not been drinking alcohol or using drugs, like cannabis.

Talk about the kids

Sometimes an order might say you can talk to the other person about your kids. It might be ok to talk about your kid's health, school, special events, and how and when they will spend time with you. Only talk about what your kids need. Don't talk about your other problems. Be respectful.



What can I do about an order against me?



If a magistrate, judge or police officer gives you an FVRO or you agree to a CAO, you must follow its rules until the court stops or changes it, or it finishes.

You can go to court to ask a magistrate or judge to stop the FVRO or change the rules. For information on asking in the Magistrates Court see the fact sheet **Changing or stopping an FVRO**.

If I go interstate does the order still apply?

Yes. FVROs and CAOs are national orders. When a court makes an order it has power in all parts of Australia. You must follow the rules in an FVRO or CAO wherever you go in Australia, even when you cross the border.



What if I want to change my ways so it is safer for my family?

If you feel depressed or have worries about your mental health, go to your local health clinic, GP or hospital and talk to a doctor or nurse there about those worries.



Call your local drug and alcohol counselling service or talk to a lawyer who can help connect you with those services. Some services have group counselling sessions, called behaviour change programs. The counsellors who run these programs help people understand why they are violent, how violence makes victims feel and to learn how to choose behaviours that are not violent.

There might be someone in your family or a close friend who you trust to talk to about your relationship worries. When you feel nervous or shame to go to an agency for help, support people can help you talk to people like a counsellor or a lawyer about your worries.