



# VIOLENCE RESTRAINING ORDERS OVERVIEW FOR APPLICANT

This fact sheet is for young people (or their parents) who want to apply for for a violence restraining order in the Children's Court.

## What is a violence restraining order?

A violence restraining order, or VRO, is a court order that is made to protect someone from personal violence.

The order will say that the other person is not allowed to do certain things.

For example, it may stop a young person from going near another young person, or from talking to them in person, or online.

You can only apply to the court for a VRO against someone who is not a family member. Other orders are available if you are in a family relationship.

In VRO matters, the young person (or their parent) who wants the order is called 'the applicant'.

The young person who has the order made against them is called 'the respondent'.

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## What is personal violence?

Personal violence means:

- one person assaulting or causing injury to another person,
- threatening to assault or cause injury to another person,
- kidnapping or depriving someone of their liberty, such as locking them up so they cannot go home.

## When will the court grant a VRO?

For the court to grant a VRO, it needs to be satisfied that either:

- there has been personal violence committed against another person and it is likely to be repeated, or
- the person seeking protection reasonably believes that they will be the victim of personal violence.

In either case, the court has to be satisfied it is appropriate to make a VRO.

## What will the court think about when deciding if a VRO is appropriate?

The court will think about many things when deciding whether it is appropriate to make a VRO, including:

- young people should not have to put up with violence, threats of violence, being kidnapped or deprived of their liberty,
- whether the other person will suffer hardship if the VRO is made, for example, will it stop them going to school or sitting their final exams, and
- whether there are other court cases going on involving any of the young people involved.

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## Will you be asked any questions in court?

When you first appear in court, you may be asked questions about:

- whether the other person attends the same school,

- whether the other person is in the same class,
- whether the problem caused by the other person has been reported to the school, and
- what action, if any, the school has taken to protect the young person wanting protection.

If, after hearing all of your evidence, the court is satisfied that there are grounds to make a VRO and it is appropriate to do so, the court will grant you an interim (temporary) VRO.

The magistrate may then ask questions about what restraints on the other person's behaviour would be appropriate. For example, the court may restrain the other person from going near the young person being protected.

## Where can you get more information?

If you would like more information about VROs, you can speak with:

- Legal Aid WA,
- your local Community Legal Centre, or
- a private lawyer.

You can also find more information, videos, and fact sheets on the Legal Aid WA website [www.legalaid.wa.gov.au](http://www.legalaid.wa.gov.au).

**Legal Aid WA contacts:** Website + Chat [www.legalaid.wa.gov.au](http://www.legalaid.wa.gov.au),  
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