

A guide for people applying for **Personal Protection Orders (PPOs)**,
including **Workplace Protection Orders (WPOs)**

What do I need to complete?

To make an application please complete the forms and lodge at the ACT Magistrates Court, Knowles Place, Canberra

- An application for a personal protection order (form 2) or workplace protection order (form 3);
- A private and confidential form to provide to the police. This will assist the police to locate the respondent and serve your application and any orders made. This will not be provided to the respondent.
- A notice of address for service (this will be kept confidential unless you consent to its release);
- You may need to appoint someone to represent you, as a **litigation guardian**, if you are under 14 years old or have impaired decision making ability. If so, you will need to have that person complete a statement of appointment of litigation guardian.

FOR MORE INFORMATION AND TO ACCESS FORMS: courts.act.gov.au/magistrates/protection

What is personal violence?

It is behaviour by one person towards another that may include:

- a) Physical violence or abuse
- b) Sexual violence or abuse
- c) Threatening behaviour
- d) Stalking
- e) Harassing, intimidating or offensive behaviour
- f) Damaging property

In relation to a workplace this may include those matters in (a)–(e) in relation to a person at the workplace; or in relation to property damage at the workplace, that causes reasonable fear to a person at the workplace.

A person applying for a PPO or WPO is called '**the applicant**'. An applicant may also be an **affected person**, but the police, a parent or litigation guardian may apply for a PPO on behalf of an **affected person**. An employer may apply for a WPO.

COMMON TERMS EXPLAINED

Who is an **AFFECTED PERSON**?

- for a **Workplace Protection Order**: an affected person is a person against whom personal violence has been or is likely to be committed, being an employee, the employer or any other person at the workplace.
- for a **Personal Protection Order**: a person against whom personal violence has been, or is likely to be committed.

Who is a **PROTECTED PERSON**?

- a person who is protected under a protection order.

Who is a **LITIGATION GUARDIAN**?

- a person appointed to represent a person who has impaired decision making ability.

Who is a **RESPONDENT**?

- the person against whom you seek a protection order against or against whom a protection order has been made.

If you would like legal advice

about your situation or have trouble with these forms please call **(02) 6207 1874** or drop in to the Legal Aid Protection Unit located in the ACT Magistrates Court.

IT IS NOT POSSIBLE TO OBTAIN A PPO OR WPO AGAINST A PERSON UNDER 14 YEARS OLD

CONFIDENTIALITY OF YOUR ADDRESS It is not necessary for the Court to tell the respondent your address in order to make a PPO or WPO. If you do not want the respondent to know your address, do not put it on the application form. The Court will ask you to complete a notice of address for service, this will be kept confidential unless you give the Court consent to disclose.

FORM 2: Application for a Personal Protection Order (PPO)

Personal Violence Act 2016

In the Magistrates Court of the Australian Capital Territory

(Court staff to complete)

PPO/.....

Giving false or misleading information is a serious offence, punishable by a fine, imprisonment or both.

IMPORTANT: Do not provide your personal address or other contact details in this form if you wish to keep it confidential from the other party. (See instruction form for further details.)

WHICH PEOPLE? Please include full names, dates of birth and any aliases

AFFECTED PERSON(S) Persons for whom protection is sought (include any children)

All adults must complete a separate application, unless a litigation guardian is appointed.

Family name(s)	Other name(s)	Date of Birth

APPLICANT (if you are not the affected person)

Family name(s)

Other name(s)

Are you a police officer?

Yes No

If yes, does the affected person consent to the application?

Yes No

Are you a parent of the affected person?

Yes No

Are you a litigation guardian?

Yes No

If yes, complete a **Statement for Appointment as a litigation guardian** (available on the Court's website)

RESPONDENT (name of person who the application is against)Family name(s) Other name(s) Date of birth **RESPONDENT'S ADDRESS** Postcode Relationship between affected person(s) and respondent **Does the respondent know where the affected person(s) live?** Yes No Unsure**Is an immediate (interim) protection order sought?** Yes No

If YES, why?

— To ensure the safety of an affected person(s) from personal violence? (short explanation)

— To prevent substantial damage to an affected person(s) property? (short explanation)

If there are other, current court or tribunal orders or ongoing proceedings about the affected person(s) and/or respondent the court should know about, provide details below.

Examples could include mental health orders, family or personal violence orders, remand orders, detention orders or good behaviour orders, criminal proceedings or mental health tribunal proceedings.

HISTORY OF PERSONAL VIOLENCE?

Has the respondent engaged in anything that is personal violence towards any of the affected person(s)?

Yes

No

(see the definition of **personal violence** at the front of this form)

What is the most recent incident of personal violence by the respondent?

What happened? When did this occur? To which affected person?

(Attach extra pages if more space is needed)

SAFETY AND HOUSING

Does the respondent own a firearm (including a gun) or have a firearms licence (including a gun licence)?

Yes No Unsure

Has the affected person(s) previously been granted a PPO or similar protection order against the respondent anywhere in Australia or New Zealand?

Yes No Unsure

Include details or provide the Court with a copy if you have one:

Has the respondent breached any PPO?

Yes No Unsure

Include details:

Are you seeking an order that will exclude the respondent from where they normally live?

Yes No

If YES:

- Do any of the affected person(s) have a disability?
- Does the respondent have somewhere else to live?
- Do you and any other affected person(s) have somewhere else to live?
- How long would you or the respondent need to find somewhere else to live?

Yes No

Yes No

Yes No

You:

Respondent:

If the respondent is 14 years old or older, but under 18 years old, are you seeking an order excluding the respondent from where they normally receive care and protection?

Yes No

If YES:

- Do any of the affected person(s) have a disability?
- Does the respondent or the affected person(s) have somewhere else to live?
- How long would it take anyone involved to find alternative accommodation?
- What alternative arrangements have been made for the respondent's care (including their education) or safety?

Yes No

Yes No

Do you want the Court to send a copy of any order made to someone else?

Yes No

If YES, include details:

School

Child care

Housing ACT

Child and Youth Protection Services

Other

Length of order you are seeking

Period of final order

Length of order: months (for a period of up to 12 months)

If you require a longer order, for how long do you seek the order?

To obtain a longer order, you will need to show the Court that special or exceptional circumstances exist.
If you believe those circumstances do exist, please set them out here:

WHAT ARE YOU ASKING THE COURT TO PROHIBIT THE RESPONDENT FROM DOING?

Who to?

If you are asking for exceptions to these prohibitions, please tick any boxes below that you want to apply, or write other exceptions in the spaces provided.

Please
✓
one or both

The respondent be prohibited from:

1. Being where the affected person(s) live

Include details: (Do not include if you want to keep this confidential)

EXCEPT **on one occasion** in police company to collect or return belongings;

EXCEPT

2. Being on premises where the affected person(s) works

Include details:

EXCEPT

3. Being on premises where an affected person(s) is/are likely to be (eg. your parents' house)

Include details:

EXCEPT

4. Being at another particular place (eg. your local shops if the respondent does not live nearby; a school that a child respondent does not attend)

Include details:

EXCEPT

WHAT ARE YOU ASKING THE COURT TO PROHIBIT THE RESPONDENT FROM DOING?

Who to?

If you are asking for exceptions to these prohibitions, please tick any boxes below that you want to apply, or write other exceptions in the spaces provided.

Please
✓
one or both

The respondent be prohibited from:

5. Being closer than a set distance (eg. 100 metres) from the affected person(s)

Please say below how far away

 metres

EXCEPT at a counselling/mediation session or restorative justice conference arranged with the consent of the affected person(s);

EXCEPT

when the distance shall be metres

6. Locating or attempting to locate an affected person(s)

EXCEPT

7. Contacting an affected person(s)

EXCEPT through a solicitor;

EXCEPT at a counselling/mediation session or restorative justice conference arranged with the consent of the affected person(s);

EXCEPT

8. Engaging in behaviour that constitutes personal violence (see the definition of personal violence at the front of this form)

9. Causing someone else to locate or attempt to locate an affected person(s)

10. Causing someone else to contact an affected person

11. Causing someone else to do anything that is personal violence in relation to an affected person

12. Engaging in behaviour towards a child that poses an unacceptable risk of the child being exposed to personal violence

Adult affected person	Child affected person
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Applicant's signature

Date