

## Domestic Violence Information Request

To request a grant of aid for Domestic Violence you **MUST** complete Part A and either Part B or Part C or Part D.

Submission of this completed information request **MAY** result in aid being granted for a Domestic Violence matter in the Magistrates Court.

### PART A RELEVANT RELATIONSHIP - MANDATORY ☐

**ONE** of the following must apply:

A relevant relationship as defined by the *Domestic and Family Violence Protection Act 2012* exists as follows:

- ☐ A spousal relationship with the other party (married, defacto relationship or registered relationship).
- ☐ An intimate personal relationship with the other party (couple or dating/engagement relationship).
- ☐ A family relationship with the other party.
- ☐ An informal care relationship with the other party.

### PART B FOR APPLICANTS FOR A PROTECTION ORDER ☐

**ALL** of the following must apply:

- ☐ The application is **not** being brought by the police.
- ☐ There has been one or more acts of domestic violence. **(Details must be provided on the final page of the application as to the nature and extent of the domestic violence).** The domestic violence falls within the legislative category of:
  - ☐ Physical or sexual abuse.
  - ☐ Emotional or psychological abuse.
  - ☐ Economic or financial abuse.
  - ☐ Threatening behaviour.
  - ☐ Coercive behaviour.
  - ☐ In any other way controls or dominates the person to fear for their safety or wellbeing or that of someone else.
- ☐ A domestic violence order is necessary or desirable to protect the applicant and/or their children from domestic violence.

**(Details must be provided to substantiate the need for protection)**

### PART C FOR RESPONDENTS TO A PROTECTION ORDER ☐

- ☐ **The DV application is attached with other relevant documents**

The application for a Protection Order is unlikely to be successful because:

**(at least one of the following must apply and supporting details must be provided on the final page of the application or attached to this request e.g. witness statement):**

- ☐ The respondent is not the main perpetrator of the domestic violence.
- ☐ The respondent is actually the person who is most in need of protection.
- ☐ The respondent has factual information which means there are reasonable prospects of success in opposing the making of the order.
- ☐ The respondent has a real likelihood of successfully challenging the conditions of the domestic violence order sought by the aggrieved.
- ☐ The respondent has a defence (e.g. the parties are not in a relevant relationship, the respondent has an alibi, or a basic defence at law).

### PART D VARIATION OF A PROTECTION ORDER ☐

**ALL** of the following must apply:

**(Specific details of current order and variation sought must be provided on final page of application).**

- ☐ There is an existing Protection Order, **AND**
- ☐ The current DV Order is attached, **AND**
- ☐ There are reasonable prospects of success that the order will be varied, **AND**
- ☐ There is a benefit to the legal aid applicant (indicate at least one of the following):
  - ☐ Existing conditions do not provide sufficient protection,
  - ☐ Police have recommended additional conditions,
  - ☐ To allow a family law process to occur,

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- ☐ Continuing protection is required following the expiry of an existing order.  
☐ Other

### CERTIFICATION

**CLIENT NAME :** \_\_\_\_\_

I, \_\_\_\_\_ of (firm name) \_\_\_\_\_ certify:

1. I am a practitioner with the abovementioned firm.
2. I have indicated on this form the basis on which I believe the applicant has eligibility to be granted legal aid,
3. I make this certification on the basis material currently held by this firm in relation to this applicant.

Document Owner: Grants manager

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