

Apprehended Violence Orders

Music & sound effects – a woman pouring a cup of hot drink for a friend

Nafisa: You are looking happier these days

Fatema: Yes. Thank you for your advice

Nafisa: Did you go ahead to the court?

Fatema: Yes. A worker helped me at the Community centre. She helped me prepare information about what happened to me when Ashraf was hurting me. It was quite difficult, but she also got an interpreter that helped explain the information about apprehended violence orders or AVOs.

Nafisa: Did they explain that an Apprehended violence order is a warning that he can't ever hurt, threaten or harass you. And after you take this order out, in the court, and he didn't follow it, he will be committing a crime. The police can bring him to court, if this happens, and if found guilty he could end up in jail or pay a fine.

Fatema: Yes. They also told me that because I wanted to do it myself in the local court, and I couldn't afford a solicitor, I could get help from the Court Assistance Scheme or could get help from Legal Aid. And if Ashraf didn't agree to the AVO, after the police or solicitor talked to him about it, I would have to tell my story in a hearing.

Nafisa: That must have been quite difficult for you.

Fatema: It's okay, besides my own information, the solicitor helped me prepare information about my witnesses, the doctor I saw and the telephone calls I made to get help. Although, I wished I arranged for someone to take my child while I was at Court. I didn't realise that being in Court could mean being there all day.

Nafisa: Yes. You must go to court for an AVO. Did you have somewhere safe to wait?

Fatema: Yes. Although I knew I would see him at court, but I didn't need to talk to him while I was there and the court said that was fine.

Nafisa: Did you ever consider still living with him in the same house even after having taken out an AVO?.

Fatema: Yes I did, because I was thinking about my child still wanting to see his father. The court said I could do that. But, I wasn't sure that he could keep to the condition to not hurt me, so decided against it. I did tell the lawyer and the police, that even after separation I wanted my child to see his father. We had an arrangement in the order that will still protect me and my child, even if we did this.

Nafisa: Will you ever change your mind about the AVO?

Fatema: I'm not sure yet. They explained to me that if I no longer fear for my safety I can ask the court to withdraw the order. Or I could change some of the conditions. If I withdraw the order and then violence happens again I could go back to court and apply again for an AVO.

But I think it would be a good idea that I talk to someone before I do this, so I can get all the information and support I need.

Nafisa: Yes. When violence happened to me I thought I couldn't get an AVO because I was not a permanent resident and Musa told me that if I left him he would have me deported. But you do not have to be a permanent resident to get an AVO. And I'm glad that I got some free assistance from the Immigration Advice and Rights Centre who helped me put in my application to stay in Australia.

Fatema: You know, I didn't realise before that there are all these places you can ask for help when experiencing violence at home.

Music and sound effects – Nafisa pours another cup of hot drink.

Narrator:

If like Fatema you are having problems with violence, and need help please ring:

The Domestic Violence helpline on 1800 656 463. They are open 24 hours each day.

If you are in immediate danger, contact the Police on 000

If you need an interpreter call the Translating and Interpreting Service (or TIS) on 131450 and just say your language. They will organise a free interpreter for you

This program was produced by Immigrant Women's Speakout. Sydney. You can contact us on 02 96358022.

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