

## Apprehended Violence Orders

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

**Adeng:** You are looking happier these days

**Lual:** Yes. Thank you for your advice

**Adeng:** Did you go ahead to the court?

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

**Adeng:** Did they explain that an Apprehended violence order is a warning that he can't ever hurt, threaten or harass you. The AVO is **not** a criminal conviction, but if after you take this order out in the court, he doesn'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.

**Lual:** 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 Chan 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.

**Adeng:** That must have been quite difficult for you.

**Lual:** 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.

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

**Lual:** 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.

**Adeng:** So can he still live with you in the same house even after having taken out an AVO?

**Lual:** Yes he can, on the condition that he does not threaten me or hurt me. If he does these things after an AVO is made, he is breaking the AVO. This is called a breach and it is a criminal offence. But whether he can live in the same house or not depends on which conditions are included in the AVO.

**Adeng:** Will you ever change your mind about the AVO?

**Lual:** 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.

**Adeng:** Yes, it is always good to get as much information as possible. You know, when violence happened to me I thought I couldn't get an AVO because Akot told me I was not a permanent resident and that if I left him he would have me deported. But when the worker at the Community Centre checked it, it turned out I was a permanent resident and he was just saying that to scare me.

**Lual:** That's terrible. But anyhow you do not have to be a permanent resident to get an AVO.  
And services like the Immigration Advice and Rights Centre can help women in these situations who are not permanent resident to put in an application to stay in Australia, even if they separate.

**Lual:** 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** – Adeng pours another cup of hot drink.

**Narrator:**

If like Lual 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) 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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