



Magistrates' Court
of Victoria

Practice Direction

No. 10 of 2015

INTERVENTION ORDERS - MENTION AND DIRECTIONS HEARINGS CHECKLIST

Preamble

Practices have developed at different venues of the Court requiring different case management information forms to be completed in relation to intervention order proceedings.

This practice direction is designed to harmonise those practices and promote consistency across all venues of the Court.

FVIO and PSIO Intervention order Mention and Directions Hearings Checklist

1. This practice direction applies to intervention order applications under the *Family Violence Protection Act 2008 (FVIO)* or the *Personal Safety Intervention Orders Act 2010 (PSIO)* respectively.
2. Unless the Magistrate otherwise orders, the attached checklist must be completed and filed with the Court at all hearings other than the day upon which a proceeding is listed for a contested hearing.

This Practice Direction commences on 2 November 2015

A handwritten signature in blue ink, appearing to read "P.L." followed by a long, thin, horizontal line.

PETER LAURITSEN
Chief Magistrate

Date: 22 NOVEMBER 2015



FAMILY VIOLENCE INTERVENTION ORDER
MENTION & DIRECTIONS HEARING CHECKLIST

For completion by POLICE PROSECUTORS, LEGAL REPRESENTATIVES or Magistrate when a FVIO Application is adjourned from
Hearing Type: **Mention to Mention** or **Mention to Directions Hearing** or **Directions Hearing to Contest**

Date: _____ Case number: _____
 Applicant: _____ Applicant's Lawyer or
 VicPol Pros/Lawyer: _____
 AFM: _____ AFM's Lawyer: _____
 Respondent: _____ Respondent's Lawyer: _____

Next Proposed Date: / /

Issues in dispute

- Factual argument
- Conditions of the FV intervention order
- Inclusion of children on the FV intervention order
- Effect of FV intervention order on firearms licence

Hearing requirements

Duration: _____
 Interpreter for: _____ AFM Respondent
 Language: _____ Ethnic Group: _____
 Remote witness facility required? Yes No

Witnesses

Number of witnesses to be called by: _____ Applicant: _____ Respondent: _____

Children present at incident: (Note prohibition FVPA s67) Ages: _____

Names of witnesses: _____

Other Proceedings

Other relevant proceedings: Criminal Child Protection Family Law Other
 Provide Particulars (including next date): _____ / _____

Orders Sought

- Summary of Allegations x 3 to be filed by: _____ / _____
- Respondent's Reply to Summary of Allegations x 3 to be filed by: _____ / _____
- Applicant witness summaries/ Statements/ Copy exhibits x 3 to be filed by: _____ / _____
- Respondent witness summaries/ Statements/ Copy exhibits x 3 to be filed by: _____ / _____

Section 71/72 FVPA (orders usually only made at Directions Hearing)

- s71.4 Warning to Respondent that if refuses legal representation, can't XXN etc
- s71 Order for VLA to offer respondent legal representation for XXN of protected witness.
- s72 Order for VLA to offer protected witness legal representation for XXN by respondent's legal rep.

Notes

Other relevant issues: _____

Name and signature of
AFM or Lawyer

Name and signature of
Applicant or Lawyer or Prosecutor

Name and signature of
Respondent or Lawyer



For completion by POLICE PROSECUTORS, LEGAL REPRESENTATIVES or Magistrate when a PSIO Application is adjourned from
Hearing Type: **Mention to Mention or** **Mention to Directions Hearing or** **Directions Hearing to Contest**

Date:		Case number:	
Applicant:		Applicant's Lawyer or VicPol Pros/Lawyer:	
Protected Person:		PP's Lawyer:	
Respondent:		Respondent's Lawyer:	

Next Proposed Date: / /

Issues in dispute	Hearing requirements		
<input type="checkbox"/> Factual argument <input type="checkbox"/> Conditions of the intervention order <input type="checkbox"/> Effect of intervention order on firearms licence	Duration:	Interpreter for:	<input type="checkbox"/> PP <input type="checkbox"/> Respondent
	Language:	Remote witness facility required?	Ethnic Group: <input type="checkbox"/> Yes <input type="checkbox"/> No

Witnesses

Number of witnesses to be called by: Applicant: _____ Respondent: _____

Names of witnesses:

Other Proceedings

Other relevant proceedings: Criminal Civil VCAT Other
Provide Particulars (including next date):

Mediation

Have parties been assessed by a DSCV Dispute Assessment Officer for mediation? YES NO

Was matter suitable for mediation? YES NO

Was mediation held? YES NO If yes, Result: _____

Orders Sought

<input type="checkbox"/> Summary of Allegations x 3 to be filed by:	/	/
<input type="checkbox"/> Respondent's reply to Summary of Allegations x 3 to be filed by:	/	/
<input type="checkbox"/> Applicant witness summaries/ Statements/ Copy exhibits x 3 to be filed by:	/	/
<input type="checkbox"/> Respondent witness summaries/ Statements/ Copy exhibits x 3 to be filed by:	/	/

Notes

Other relevant issues:

Name and signature of
PP or Lawyer

Name and signature of
Applicant or Lawyer or Prosecutor

Name and signature of
Respondent or Lawyer