

# APPLICANT/AFFECTED FAMILY MEMBER APPLICATION TO REVOKE A FAMILY VIOLENCE INTERVENTION ORDER

PT 4 DIV. 8 FAMILY VIOLENCE PROTECTION ACT 2008  
SECTION 108 FAMILY VIOLENCE PROTECTION ACT 2008



This form should be used if you are a protected person or the applicant for the original intervention order or a new applicant with leave of the court and want to apply to revoke (remove) the intervention order.

## About this application

I want to: ☐ **Revoke the intervention order**

*This is an application to remove the intervention order in place.*

*If Victoria Police applied for the original intervention order, we will notify them of your application.*

## About the original family violence intervention order

In the Magistrates' Court at \_\_\_\_\_ Case no \_\_\_\_\_  
Which court made the intervention order? Top right-hand corner of the order

Date the family violence intervention order was made: \_\_\_\_\_

Date the family violence intervention order expires: \_\_\_\_\_

## Your details

In the intervention order, I am the ☐ Applicant for the original order ☐ Protected Person

*If you are the Respondent in the family violence intervention order, please complete the Respondent Application for Leave to Apply s.109 FVPA form*

**If you are not a person named in the intervention order, in what capacity do you make this application?**

(please select who you are)

☐ Parent/Guardian of a child named Affected Family Member

☐ Person with written consent of a parent of a child Affected Family Member

*The registrar will discuss further with you if you need to complete the Application for Leave to Apply s.109 FVPA form*

Your name \_\_\_\_\_

(Legal name) \_\_\_\_\_

(if applicable)

*Provide if different to the name you use above*

Pronoun(s) \_\_\_\_\_

Your date of birth \_\_\_\_\_ Your email \_\_\_\_\_

Your phone number \_\_\_\_\_

**Do you need an interpreter to discuss**

**this application with the court?**

☐ No

☐ Yes, language required:

**What is your address?**

The Court needs an address so we can send documents to you.

Please select one of the below options and provide details of your chosen address:

☐ Your home address

☐ Your postal address (if different), or

☐ If you are concerned for your safety or staying in emergency or temporary accommodation you can provide the address of a person chosen by you.

Address \_\_\_\_\_ Suburb \_\_\_\_\_ Postcode \_\_\_\_\_

**Do you wish to keep your current address private from the respondent?**

*(The court will not disclose your address if it is not known)*

☐ Yes

☐ No

**You can choose how you want to attend the court hearing. How would you prefer to attend?**

☐ In person

☐ Online

☐ Not sure – I wish to discuss the options

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**How can we contact you safely?**

☐ Phone ☐ Email ☐ Other:

Please select the best and safest way/s for the court to contact you

**Is it safe to leave you a voicemail message?**

☐ Yes ☐ No

**When is it safest for us to call you?**

☐ 8:45am – 1:30pm ☐ 1:30pm - 4:30pm ☐ Anytime

**Is there anything else you would like us to know when contacting you?**

## About your case

We need some information about the parties involved so we can locate the original intervention order and provide the respondent/other person with the application. We will speak to you about this application before the application is served upon the applicant, affected family member and/or respondent. You can contact us if you are concerned about your safety.

**Applicant's name** *To the original intervention order* \_\_\_\_\_

**Affected Family Member's name** \_\_\_\_\_

**Are there additional Protected Persons from the original order?**

☐ Yes ☐ No

**If yes, are they children?**

☐ Yes ☐ No

**Respondent's full name** \_\_\_\_\_

**Respondent's email** \_\_\_\_\_

*If known*

**Respondent's phone number** \_\_\_\_\_

*If known*

**Has the Respondent's home address changed since the order was made?**

☐ Yes ☐ No ☐ I don't know

**If yes, please provide the current address** \_\_\_\_\_

*If known*

**Does the Respondent have access to firearms or any weapons?**

☐ Yes ☐ No ☐ I don't know

**If there are children included on the intervention order, is there any of the following applications or orders relating to the children?**

☐ Family Law Act Applications or Orders

☐ Child Protection Applications or Orders

**If so, please provide details:**

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**I want to:** ☐ **Revoke the intervention order**

*If Victoria Police applied for the original intervention order, we will notify them of your application.*

[illegible]

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**DECLARATION OF TRUTH**

s.43(4) of the *Family Violence Protection Act 2008*

**Declaration of truth by applicant**

I, \_\_\_\_\_ born on \_\_\_\_/\_\_\_\_/\_\_\_\_ make this declaration of truth  
and say that the contents of my application are true and correct to the best of my knowledge and belief.

I understand that it is an offence to knowingly make a false statement in a declaration of truth punishable by 600 penalty  
units or 5 years imprisonment or both under section 153A of the Family Violence Protection Act 2008.

Signed

\_\_\_\_\_

Dated

\_\_\_\_/\_\_\_\_/\_\_\_\_

(Name of applicant)

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## When the court considers the application

For the application to be granted, the court must take the following into consideration:

The court must consider the reasons for seeking the revocation, the safety of the protected person, the protected person's views about the variation, whether the protected person is legally represented, and if the protected person has a guardian, the guardian's views.

**Any interim or final intervention orders will continue while the court considers this application.**

You can contact the court during business hours if you have questions about this application or the hearing. If you need non-legal support, you can ask to speak with a family violence practitioner.

For more information on family violence intervention order applications, visit [mcv.vic.gov.au/intervention-orders](http://mcv.vic.gov.au/intervention-orders)

## Getting legal advice

You are encouraged to get legal advice before the hearing. You can arrange a private lawyer or you may be eligible for free legal advice from the following services.

Victoria Legal Aid	<a href="http://www.legalaid.vic.gov.au">www.legalaid.vic.gov.au</a>	1300 792 387
Federation of Community Legal Centres	<a href="http://www.fclc.org.au">www.fclc.org.au</a>	03 9652 1500
Victorian Aboriginal Legal Service	<a href="http://www.vals.org.au">www.vals.org.au</a>	1800 064 865
Djirra Legal Services	<a href="http://www.djirra.org.au">www.djirra.org.au</a>	1800 105 303
Q+Law	<a href="http://www.flc.org.au">www.flc.org.au</a>	03 9968 1002
InTouch Legal Centre	<a href="http://www.intouch.org.au">www.intouch.org.au</a>	1800 755 988
Refugee Legal	<a href="http://www.refugeelegal.org.au">www.refugeelegal.org.au</a>	03 9413 0100
Seniors Rights Victoria	<a href="http://www.seniorsrights.org.au">www.seniorsrights.org.au</a>	1300 368 821
Villamanta Disability Rights Legal Centre	<a href="http://www.villamanta.org.au">www.villamanta.org.au</a>	1800 014 111
Youthlaw	<a href="http://www.youthlaw.asn.au">www.youthlaw.asn.au</a>	03 9113 9500
Women's Legal Service	<a href="http://www.womenslegal.org.au">www.womenslegal.org.au</a>	1800 133 302