

APPLICANT/PROTECTED PERSON APPLICATION TO REVOKE A PERSONAL SAFETY INTERVENTION ORDER

PT 3 DIV. 10 PERSONAL SAFETY INTERVENTION ORDER ACT 2010
SECTION 85 PERSONAL SAFETY INTERVENTION ORDER ACT 2010

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 personal safety intervention order

In the Magistrates' Court at _____

Which court made the intervention order?

Case no _____

Top right-hand corner of the order

Date the personal safety intervention order was made: _____

Date the personal safety 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 personal safety intervention order, please complete the Respondent Application for Leave to make an application 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 protected person ☐ Person with written consent of the protected person

The registrar will discuss further with you if you need to complete the Application for Leave to make an application 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

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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

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

Is there anything else you would like us to know when contacting you? Such as the best time to call, or the name of a trusted person and their details. (you may prefer a trusted person to be contacted to discuss this application)

Trusted person

Name: _____

Email: _____

Phone: _____

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, protected person and/or respondent. You can contact us if you are concerned about your safety.

Applicant's name _____

To the original intervention order

Protected person'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

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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.

Tell us why you want to remove the order in place, including any relevant information about what has happened since the order was made and what may have changed for you or the protected person/s:

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

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DECLARATION OF TRUTH

s.13(4) of the Personal Safety Intervention Orders Act 2010

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.13(4) of the Personal Safety Intervention Orders Act 2010*

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 if you have questions about this application or the hearing.

For more information on personal safety intervention order applications, visit 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. To see if you are eligible for free legal advice, please refer to the Victoria Legal Aid website information about personal safety intervention orders.

Victoria Legal Aid

www.legalaid.vic.gov.au

1300 792 387