



Changes to Norfolk Island Laws: Protecting Vulnerable People (Domestic and Personal Violence)

FACTSHEET

Modernising apprehended violence orders

The *Crimes (Domestic and Personal Violence) Act 2007* (NSW)(NI) now applies in Norfolk Island. The new law provides better protections for people who have reasonable grounds to fear domestic or personal violence.

What changes have been made?

Apprehended Personal Violence Order

Apprehended Personal Violence Orders (PVO) now apply on Norfolk Island. This means better protection for people in non-domestic violent situations.

A PVO can be made in violent situations involving non-domestic relationships, such as:

- neighbours
- customers or clients
- friends
- stalkers
- people you work with.

Apprehended Domestic Violence Order

The definition of 'domestic relationship' with respect to domestic violence has changed to cover a wider range of relationships. This means that Apprehended Domestic Violence Orders (DVO) on Norfolk Island align with the rest of Australia.

A DVO is made where the people involved are related or have had a domestic or intimate relationship, such as:

- members of the same family
- in an intimate relationship, de-facto relationship, married or have been in one of these relationships
- living in the same house (including flat mates)
- had or have had a relationship where one person cares for the other person (paid or unpaid)
- extended family

National recognition of Domestic Violence Orders

National recognition of DVOs now applies in Norfolk Island. This means that DVOs registered in other Australian states and territories will be automatically recognised in Norfolk Island.

Who will enforce these changes?

The Norfolk Island Court of Petty Sessions is the court primarily responsible for the making of Apprehended Violence Orders (AVO). The two types of AVOs are DVOs and PVOs.

The Supreme Court of Norfolk Island will also be able to make an AVO against a person who pleads guilty or is found guilty of a serious offence.

The Norfolk Island Police can take what they believe to be the most appropriate action when there has been a domestic violence incident. This includes making a Provisional Order, which is a temporary AVO order made by a Senior Police Officer that takes effect immediately and lasts until the matter is heard by a court, which must be no more than 28 days after it has been issued. The Police can also apply for an AVO to the Court of Petty Sessions on behalf of a person in need of protection. The person against whom an order is sought will be summonsed to attend court.

Decisions made by the Court of Petty Sessions concerning AVOs may also be appealed to the Supreme Court.

Why was the law changed?

Since the *Domestic Violence Act 1995* (NI) was enacted in Norfolk Island, there have been advances in dealing with domestic and personal violence in other Australian jurisdictions. The new law will provide a modern framework for protection orders with respect to persons who have reasonable grounds to fear domestic or personal violence. The previous Norfolk Island law did not provide protections outside of a domestic relationship.

Contacts

For further information, please contact Norfolk Island Police on 22222 or by email at enquiries@police.gov.nf. The Registry of the Court of Petty Session can also be contacted on 23691 or by email at registry@nirc.gov.nf.

NI-Connect is a new community centre that provides support for Norfolk Island's children, young people and their families. NI-Connect is the home of the Child and Family Wellbeing Team who help with crisis accommodation arrangements for victims of domestic and family violence. If you have any concerns for the safety and wellbeing of a child or young person please contact Norfolk Island Police on 22222 or the Child Welfare Officer on 23380 (landline) or 51115 (mobile).

1800RESPECT is a confidential service available 24 hours a day, seven days a week, which provides support for people experiencing, or at risk of experiencing, sexual assault, domestic or family violence, their friends and family, and workers and professionals supporting someone experiencing, or at risk of experiencing sexual assault, domestic or family violence. 1800RESPECT can be contacted by phone on 1800 737 732 or online at www.1800respect.org.au.

Other counselling services are listed in the Norfolk Island Telephone Directory.

NSW law is available at www.legislation.nsw.gov.au.