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Women's Legal Services NSW
(02) 8745 6900 (Admin)
www.womenslegalnsw.asn.au
PO Box 206 Lidcombe NSW 1825
Email: reception@wlsnsw.org.au

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WOMEN'S LEGAL SERVICES NSW

HOW TO USE THIS BOOK

This breach record book has been given to you because an Apprehended Violence Order (“AVO”) has been made by the Court for your protection.

The book is to help you record any incidents that you think are a breach of your AVO. This can assist in reporting possible breaches of the AVO to the police.



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**REMEMBER TO KEEP THIS BOOK
IN A SAFE PLACE SO IT CAN'T BE
FOUND BY OTHERS**

WHAT IS AN APPREHENDED VIOLENCE ORDER?

The Apprehended Violence Order (or "AVO") is for your protection.

The AVO is an order made by the Local Court. It tells the person you have the AVO on ('the defendant') that they are not allowed to harass, assault, intimidate or threaten you. There may also be other conditions for your protection as well.

Now that you have an AVO -
you need to know how to use it.



WHAT IS A 'BREACH' OF AN AVO?

A breach of an AVO happens when a person you have an AVO on does not obey a condition on that AVO. For example a breach might be:

Hitting or pushing you - this is an assault.

Threatening or standing over you, swearing or yelling at you to make you frightened - this is intimidation.

Following you around - this is stalking.

Saying he/she will hit you or damage your things - this is making a threat.

AVOs often have other conditions on them. For example – the AVO might say that the defendant should not contact you except through a lawyer. So if the defendant tries to contact you in any other way this would be a breach.

Make sure you understand all the conditions on your AVO, so you know what the defendant can and cannot do. Keep a copy of the AVO with you.

If you are unsure about which conditions apply to the defendant ask the police, contact the Domestic Violence Legal Service or your local domestic violence support service (see inside back cover for phone numbers).

WHAT TO DO IF THE DEFENDANT BREACHES THE AVO ?

Any breach of the AVO should be reported to the Police as soon as possible.

There is no breach that is allowed. Sometimes the defendant might try to see how far they can go before you will report a breach of the AVO. It is important to report all breaches as 'little' breaches can lead to serious breaches. The police can only act if a report has been made.

REMEMBER

You have the right to be SAFE
No breach of an AVO is OK
Any breach is against the law

HOW TO REPORT A BREACH ?

You can report a breach by:

1. Going to the police station and making a report.
2. Phoning the local police and making a report.
3. If it is an emergency ring 000 (or 112 from a mobile phone) and ask the police to attend.

The police should make a record of your report. It is good for the police to take your statement as it can help the police investigate and take action. The police will ask you to sign your statement.

The police should give you an 'event number' for your report and the name of the investigating officer. The police should also make sure you are safe.

If you need to, you can ask to speak with the Domestic Violence Liaison Officer (DVLO) or the Aboriginal Community Liaison Officer (ACLO) for help.

However in some areas there is not a fulltime DVLO or ACLO available. You can ask for the DVLO or ACLO to contact you later if you need them.

You can also take a friend or a support person with you when you report. If you need to you can talk to a local domestic violence worker or support service for help with reporting.

WHAT SHOULD THE POLICE DO ?

The police should investigate **all** reported breaches of an AVO.

The police have to follow their own guidelines which say that they are meant to:

- Get as much information as possible from you when you make a report.
- Make sure you (and your children) are safe.
- Gather any evidence available and interview the offender.

The police will then decide whether there is enough evidence to charge the defendant. If the police decide not to charge the defendant, they must make an official record of the reasons for their decision.

If the police take the defendant to court for a breach you may have to give evidence in court. There are services that will help you at court (see the local contacts inside the back cover).

If the police cannot take the defendant to court for the breach because there is not enough evidence, it is still important to report the breach to have a record of what happened.

See page 26 for hints on what to do if you are still feeling unsafe or you are unhappy with the police response.

RECORDING AND GATHERING EVIDENCE

It is important to provide as much information about the breach as possible to the police. Evidence of the breach could include your story about what happened, the story of any witnesses that saw or heard what happened, phone messages, emails, text messages, photographs of damage or injuries, or evidence of phone calls.

You can use this book to help you record information to provide to the police.

Report all breaches as soon as possible.

What to record:

Date, time and place

Note down the date and time of the incident and where it happened.

What happened

Write down what happened. This includes what was actually done by the defendant and what exact words were used by the defendant. This is very important if threats were made or the defendant was being intimidating.

Answering machine messages, voicemails or text messages

If there are frightening messages left on an answering machine or voicemail, or if the defendant is not allowed to contact you and leaves messages, make sure you don't delete them.

With voicemail make sure your phone provider does not delete them before the police have recorded them. If you receive text messages on your phone, save them to show to the police.

Email or facebook harassment

If you receive emails that are harassing or threatening save them and print them out to show to the police. If you are harassed through facebook or other social networking sites, print the website page to show the police.

Record any injuries

If you have been injured in any way go to a doctor, hospital or medical service and have a record made of the injuries. If injuries are showing it is also good to photograph them. Tell the police that you have done this. Show the police injuries that come up in the time after the report.

Other witnesses

Did anyone else see or hear what happened (including children)? Write down their names and tell the police.

Getting other people to frighten you

If you think the defendant is doing this, record and report these incidents as well.

It is important to keep a record of all incidents as it can show a pattern of behaviour by the defendant that may be a breach of the AVO.

**THE FOLLOWING PAGES CAN BE USED TO
RECORD INCIDENTS**

Names and contact details of any witnesses:

Did you seek medical help for injuries (Hospital, GP, Medical Centre, Medical Service?)

Where: _____ Date: _____

Where: _____ Date: _____

Report made to Police: Yes No

If Yes, date report made: _____

Police Station: _____

Event number: E _____

Name of police officer: _____

Names and contact details of any witnesses:

Did you seek medical help for injuries (Hospital, GP, Medical Centre, Medical Service?)

Where: _____ Date: _____

Where: _____ Date: _____

Report made to Police: Yes No

If Yes, date report made: _____

Police Station: _____

Event number: E _____

Name of police officer: _____

Names and contact details of any witnesses:

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Where: _____ Date: _____

Report made to Police: Yes No

If Yes, date report made: _____

Police Station: _____

Event number: E _____

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Report made to Police: Yes No

If Yes, date report made: _____

Police Station: _____

Event number: E _____

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If Yes, date report made: _____

Police Station: _____

Event number: E _____

Name of police officer: _____

Names and contact details of any witnesses:

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Where: _____ Date: _____

Report made to Police: Yes No

If Yes, date report made: _____

Police Station: _____

Event number: E _____

Name of police officer: _____

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Report made to Police: Yes No

If Yes, date report made: _____

Police Station: _____

Event number: E _____

Name of police officer: _____

Names and contact details of any witnesses:

Did you seek medical help for injuries (Hospital, GP, Medical Centre, Medical Service?)

Where: _____ Date: _____

Where: _____ Date: _____

Report made to Police: Yes No

If Yes, date report made: _____

Police Station: _____

Event number: E _____

Name of police officer: _____

Names and contact details of any witnesses:

Did you seek medical help for injuries (Hospital, GP, Medical Centre, Medical Service?)

Where: _____ Date: _____

Where: _____ Date: _____

Report made to Police: Yes No

If Yes, date report made: _____

Police Station: _____

Event number: E _____

Name of police officer: _____

WHAT IF I NEED MORE HELP

If you are unsure about how the police are responding to your report(s), you can take the following steps. If you need to you can get help from a local domestic violence support service or the local Women's Domestic Violence Court Advocacy Service.

Step 1: You can contact the Domestic Violence Liaison Officer (DVLO) for your area. She / he should be able to find out and explain what is happening. DVLOs are there to assist victims of domestic or family violence.

Step 2: If you are not happy with the response you can contact the Duty Officer or Officer-in-Charge at the police station.

Step 3: If you are still not satisfied, you can make a complaint. Complaints can be made by contacting the NSW Police Customer Assistance Unit on 131 444 or by writing to them at:
PO Box 3427 Tuggerah NSW 2259 or
email: customerassistance@police.nsw.gov.au

You can also contact the NSW Ombudsman's Office for advice and help with complaints about police on (02) 9286 1000. For information about making complaints about police see www.ombo.nsw.gov.au.

You can also contact one of the following legal services for advice and assistance.

WHERE TO GET LEGAL HELP

Women's Legal Services NSW

Domestic Violence Legal Service

(02) 8745 6999 or 1800 810 784 (rural freecall)

Monday & Thursday 1.30pm to 4.30pm

Tuesday & Friday 9.30am to 12.30pm

Indigenous Women's Legal Contact Line

(02) 8745 6977 or 1800 639 784 (rural freecall)

Monday, Tuesday, Thursday 10am to 12.30pm

Women's Legal Contact Line

(02) 8745 6988 or 1800 801 501 (rural freecall)

Monday & Thursday 9:30am to 12:30pm

Tuesday 1:30pm to 4:30pm

Website: www.womenslegalnsw.asn.au

Wirringa Baiya Aboriginal Women's Legal Centre

Wirringa Baiya Aboriginal Women's Legal Contact Line

1800 686 587 or (02) 9569 3847

Website: www.wirringabaiya.org.au

LawAccess 1300 888 529

Can provide legal information, advice and referral. Call this number to be referred to your local Women's Domestic Violence Court Advocacy Service who can support you at Court.

IF YOU NEED HELP TO CONTACT US:

Telephone Interpreter Service 131 450

You can contact any service through TIS if you need help with english.

National Relay Service 133 677 (TTY / voice)

For women with a hearing or speech impairment.

OTHER USEFUL SUPPORT SERVICES

NSW Community Services Domestic Violence Crisis Line (24 hrs) 1800 65 64 63

Can assist with referrals to women's refuges, crisis support and other help.

NSW Rape Crisis (24 hrs) 1800 424 017

www.nswrapecrisis.com.au

24 hr phone counselling and referral for victims of sexual assault.

Salvation Army 24hr Care Line 1300 363 622

Can help with accommodation, support, vouchers for food, electricity, gas and phone.

LOCAL SUPPORT

Put your important local contacts here....

Women's Domestic Violence Court Advocacy Service:

Local Police / Domestic Violence Liaison Officer:

Other: