

family

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Abstract

This brochure, produced by the NSW Police Service, explains where people can obtain help if they are victims of violence. **Keyword: Legal**



If he hits you,
bullies you, or
threatens you...
reach out.



NSW POLICE SERVICE

Call the Police

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NSW POLICE SERVICE

Call the Police

You're not alone

If the man in your life, or an ex, is threatening, hurting or harassing you - the court can make him leave you in peace, leave the house, or order him to change his behaviour.

There is no need for you to wait until you have been slapped, punched, beaten, or assaulted in any way. If you take his threats seriously, so will we.

Laws have recently been introduced in NSW to give police more power to protect you, if you'll just reach out and ask us for help.

We can protect you and we will: with court orders to restrain him; by removing any firearms that could be used against you; and by being there should he trouble you again.

All you have to do is reach out to the police and ask for help.

Physical or verbal abuse can be inflicted on a partner by either a man or a woman, but as about 98% of victims are women, we have written this booklet for women. Of course, police will give the same assistance to everyone on the receiving end of domestic violence, whether you are male or female.

How police can help

Domestic violence takes many forms - physical assault, threats, and harassment, or psychological, emotional and financial control or abuse - and there are many ways the police can help you.

If the man in your life (or an ex-husband or ex-lover) hurts you physically, we will arrest him and charge him with an offence.

If he bullies you, threatens you, or harasses you, we can apply to the court for a special order called an Apprehended Violence Order. This will set out conditions that he *must* follow - or else he will be arrested.

Don't be afraid that you'll make things worse by involving the police - we can help you and protect you.

That special court order

The Apprehended Violence Order can give you very effective protection.

It literally tells the man who is hurting or harassing you, how he must behave if he wants to stay out of trouble and not be arrested for a criminal offence. For instance, it may state that he must not threaten, intimidate you, or hurt you physically in any way - or perhaps that he must stay away from the family home and not approach you in the street or where you work. Police can also apply for an order to protect your children.

An Apprehended Violence Order (we'll call it an AVO from now on) is made by a magistrate at a local court. It is not the same as a criminal conviction. You can ask a Chamber Magistrate to organise it, or the police will apply to the court for you. In most cases, both you and the man who is causing the trouble will be asked to appear before the court to get an order - but please remember that *you are not on trial*. We're there to help you.

An interim or temporary AVO can be made if you need urgent protection.

Under the new laws, police must apply for an AVO unless we are sure you are applying for one yourself, or unless we believe there is good reason not to. Protecting you is our top priority.

The new gun laws also protect you

Guns are dangerous to have around the home at any time, and especially when they can be used by a bully who is capable of hurting or threatening others.

We know for a fact that men who hurt women, or threaten them in any way, usually carry out their threats eventually - so it is important that the police remove any guns from your property *and* his.

Under the new laws, police have the authority to remove all guns, even if they do not belong to the troublemaker. If there is a gun available for him to use it could mean real danger to you. So please be sure to tell us if you know of any gun or even suspect that he may have access to one. *Even if he has never threatened you with a gun.*

Any current firearms licence or permit he might hold will be suspended, then revoked.

No one who has been convicted of a serious crime, or issued with an AVO (here or anywhere in Australia), can renew a gun licence for at least ten years. It is illegal for anyone to have a gun without a licence. Personal protection is no longer an acceptable reason to own a gun and no exceptions will be made to this rule.

When arrest is the only answer

Many women worry that, by calling the police, they risk sending their husband or lover to prison - and they don't want that to happen. For them, an Apprehended Violence Order is the way to get protection.

For others, the only way to stop the violence is to have the offender arrested. Sometimes they feel, quite rightly, that their own lives are in danger while ever the man is free.

If you feel that way and you have been physically assaulted in any way, tell us and we can arrest the man responsible.

Physical assault is a criminal offence which leads to a court hearing where you will be asked to say what happened.

Where the offender is arrested, police can give or refuse bail, depending on whether they feel you are at risk. Make sure you tell the police of your fears, so that special conditions can be put on his bail. If he breaks those bail conditions, he will be arrested and taken back before the court.

You're not alone...

If he hits and punches you

Physically, he might be stronger than you - but when you have the police on your side, together we're much stronger than he is.

Call us - in an emergency, dial 000.

When we arrive at the door, invite us in even if he doesn't. We can get a warrant to come in if necessary - but the sooner we're in there, at your side, the better.

If he has physically hurt you, he will be arrested and charged with assault. We can also protect you by applying for an AVO. If you weren't hurt but feel frightened or threatened, either you or the police can still apply for an AVO.

If he is charged with assault and likely to become violent again, bail may be refused. If bail is allowed, it will have conditions attached - for example, ordering him not to assault or molest you, not to harass or intimidate you, not to drink alcohol, or not to attempt to contact you at all - until his case comes to court. Check on bail conditions with the police.

When an AVO is made, the magistrate will take into account what has happened, your fears and your situation - and whether you wish to continue living with or seeing this person. The magistrate can make an order for him to leave and stay away from the home for the period of the order.

If he threatens you

If he threatens you talk to us. If you are frightened, we can apply to the court for an AVO that will help restrain his behaviour towards you. You will be asked to say why you are frightened, in court - and you can be sure that your fears will be taken seriously.

If he sexually assaults you

Marriage does not give one partner the right to force the other into any sexual activity. Your body is yours.

Whether you want to remain in the relationship or not, we can help you.

If he has sexually assaulted you, he will be arrested and charged and police can apply for an AVO to protect you. Remember, if the conditions of an AVO are broken, he can be charged and taken to court - so an AVO is a very powerful solution.

You're not alone...

If he becomes abusive or violent when drinking

Drunkenness is never an excuse for abusive behaviour. Our response will depend on the situation you are in. If he has physically attacked you, he will be charged with assault.

And we can apply for an AVO.

If he abuses, intimidates or harasses you

You have the right to live your life in peace - and with dignity. Verbal abuse and intimidation might make him feel good, but are very distressing for you. You are not expected to put up with it.

As long as it continues, domestic violence will get worse. It won't just go away by itself.

Once he sees that you have police on your side, he could be persuaded to change his behaviour. We can apply for an AVO on your behalf and the court will give you a fair hearing.

Rest assured, protecting you will be our top priority.

As well as the police, there are many people ready and willing to help you with financial, legal, housing, interpreting and counselling services. Women's refuges, women's resource centres and women's health centres are available in many city and country areas. To find out where your closest services are located, contact your local police. Other services that can assist you are listed below.

Domestic Violence Advocacy Service

(02) 637-3741. (If you live outside the Sydney Telephone District ring them and they will ring you back).

Women's Legal Resources Centre

(02) 637-4597 or (008) 801-501 if you live outside Sydney.

Homeless Persons Information Centre

(02) 265-9081 or (02) 265-9087

Department of Community Services

(02) 360 7200

(008) 425-288 (Child Protection)

(008) 047-727 (Domestic Violence)

Telephone Interpreter Service

Sydney: 8am 6pm - 221 1111

6pm 8am - 008 251 977

Other Areas: 8am 6pm - 008 112 477

6pm 8am - 008 251 977

The chamber magistrate at your local court listed under Local Courts in the NSW Government section of the white pages in your telephone book.



Call the Police!
In an emergency call 000
(interpreters are available, just tell the
operator the language you speak)
Or telephone your local police station



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