

Temporary Protection Orders

If you need protection urgently, you can ask the court for a temporary protection order to be considered by a Magistrate when you file your application. Police can also apply for you.

Rules of the Court

Courts have rules and they apply to everyone. There are rules for what you can and can't do or bring to court, and others for how you dress or act in court. If you do the wrong thing or dress inappropriately, the Magistrate may reprimand you and ask you to leave.

COURT RULES

- Turn off your mobile phone – do not just switch it to silent
- Bow your head to where the Magistrate sits when entering and leaving the court
- Turn off any alarms on your watch or pager
- Do not talk unless called upon to speak by the Judge or Magistrate
- Do not eat, drink or chew gum
- Do not smoke
- Do not record or publish any of the proceedings
- Remove your sunglasses from your head

Court Attire

WHAT TO WEAR TO COURT

- Suit (preferred but not essential)
- Collared shirt (not gaping or exposing body)
- Pants or knee-length or long skirt
- Clean, closed-in shoes
- A jacket if you are representing yourself
- Clothes without rips, tears or holes

DO NOT WEAR TO COURT

- Singlets or singlet shirts
- Sleeveless blouses or tops
- Clothing with obscene or offensive wording or graphics
- Jeans
- Thongs
- Short shorts
- Mini skirts
- Sunglasses
- Hats or caps

Contact Us

Gladstone Women's Health Centre
ABN 26 651 545 436
65 Central Lane, Gladstone Q4680

Phone (07) 4979 1456 / 1800 749 222
Email info@gladstonewomenshealth.org.au
  /GladstoneWomensHealthCentre

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GLADSTONE Women's Health

Supporting Women For More Than 30 Years

COURT ADVOCACY AND SUPPORT PROGRAM

Helping you navigate your way through
Domestic Violence or Sexual Assault
court appearances



Equality



Security



Health & Wellbeing



Safety



Empowerment



What is CASP?

Going to court can be a stressful and confusing experience, but help is available through Gladstone Women's Health Centre's free Court Advocacy and Support Program (CASP). CASP is available at Gladstone and Biloela Magistrates Courts on days when domestic violence and/or sexual assault matters are heard.

Domestic Violence Court Support

CASP is a government-funded program to support eligible people with their court appearances for matters relating to domestic violence and sexual assault. Our staff do not provide legal help, but are there to support you navigate the court process and support you in court or when seeking legal counsel at court. If you have concerns about your safety when attending court, please discuss these with our staff prior to court day if possible, or upon arrival at court, so we can put increased safety measures in place.

Definitions:

- **Aggrieved:** The person who was impacted/affected by domestic violence.
- **Respondent:** The person who is accused of committing domestic violence.

Eligibility

CASP is free of charge and is NOT based on an income assessment. It is available as follows:

Magistrates Court	Matters relating to	Eligibility
Gladstone	Domestic violence	Aggrieved females and males Respondent females and males (with preference to Aggrieved persons)
	Sexual assault	Aggrieved females and males
Biloela	Domestic violence	Aggrieved females and males Respondent females and males (with preference to Aggrieved persons)



Our Support

CASP provides the following support free of charge for people involved in domestic and family violence matters. We also offer support for Aggrieved people in sexual assault matters. Please ask if there are specific supports you are after because we link with other agencies.

SUPPORT FOR AGGRIEVED PEOPLE

- A safe and secure space to wait
- Information about court and the procedures
- Help applying for a new protection order or to seek changes to an existing order
- Pre-court visits/orientations if needed
- Safety planning
- Support in court room (physical presence but not legal support)
- Post-court debriefing and information
- Referral to other agencies
- Helping you understand orders of the court
- Liaising on your behalf with court staff, police, duty lawyers and others as needed
- Providing specialist domestic violence knowledge and information
- Providing ongoing support (counselling and other) between court appearances

SUPPORT FOR RESPONDENTS (DV MATTERS ONLY)

- Information about court and proceedings
- Post-court debriefing and information
- Referral to other agencies
- Information about domestic violence orders
- Information about conditions contained in orders of the court

Domestic Violence Orders (DVOs)

A DVO is also known as a protection order and is made by a Magistrate in court to protect the Aggrieved and others listed in the order from the person committing violence [The Respondent]. A DVO contains conditions, such as making it illegal for the violent person [The Respondent] to come within a certain distance of where you live. If the Respondent breaches those conditions and it is reported to police, he or she could face a Magistrate where penalties can include a fine or imprisonment.

DVOs are specific to your situation. They can stop someone approaching you at home or work, or approaching relatives or friends, if they are named in the order. DVOs can enable you to stay at your house, currently or previously shared, even if the house is owned or rented in their name. DVOs can prevent a Respondent from going to a child's school or day care centre. There's many conditions that can be included, depending on the circumstances.

If an order is in place and the Respondent continues to abuse, harass, intimidate or threaten you, it must be reported to the police. This is a criminal offence known as a "Breach of the Protection Order" and carries penalties that can include a fine or imprisonment. All incidents of abuse must be investigated by the police, and there is no limit to the number of reports that can be made. For the matter to be successfully prosecuted in court, however, the police will ask you for any evidence you have that a "Breach of the Protection Order" has occurred. Evidence can include medical reports, statements from witnesses, photographs, screenshots or text messages and the like.

Applying for a DVO

Applying for a DVO is not difficult. You can ask the police to apply to the court for you, apply directly to the court yourself, or ask a lawyer, community worker or family or friend to do it for you. When the DVO is in place, it lasts for minimum of five years, unless a court is satisfied a shorter order can be made. It can also be extended where necessary. You can apply to the court to have certain conditions added or removed, but there are no guarantees that these will be approved. Your safety will be the key consideration of a Magistrate when making this decision.