

APPREHENDED VIOLENCE ORDERS

When legal aid is available for Apprehended Violence Orders

This fact sheet explains when legal aid is available for Apprehended Violence Orders.

An Apprehended Violence Order may be either:

- an Apprehended Domestic Violence Order, or
- an Apprehended Personal Violence Order.

APPREHENDED DOMESTIC VIOLENCE ORDER

Legal aid is available for Apprehended Domestic Violence Orders (ADVO) matters as follows:

• Applicants in ADVO matters

Legal aid is available to applicants in ADVO matters.

• Defendants in ADVO matters

Legal aid is available to defendants in ADVO matters but only if Legal Aid NSW is satisfied that there are exceptional circumstances.

• ADVO 'cross applications'

Legal aid is available to defendants in ADVO 'cross applications' if the defendant is a 'protected person' in related ADVO proceedings.

Legal aid is available to applicants in 'cross applications' but only if Legal Aid NSW is satisfied that there are exceptional circumstances.

APPREHENDED PERSONAL VIOLENCE ORDER

Legal aid is available for Apprehended Personal Violence Orders (APVO) matters in limited circumstances, as follows:

• Defendant in an APVO

Legal aid is available to defendants in APVO matters if the defendant is under 18 years of age.

Legal aid is available to defendants who are adults in APVO matters but only if Legal Aid NSW is satisfied that there are exceptional circumstances.

• Applicants in APVOs

Legal aid is not available to a person who is an applicant in Apprehended Personal Violence Order proceedings unless the person is under 18 years of age.

IMPORTANT ADVICE FOR LEGAL AID NSW STAFF

If you receive an inquiry and you are unsure as to whether legal aid is available for the Apprehended Violence Order matter:

- ask your supervisor, or
- refer the client/solicitor to the Grants Division.

Legal aid applicants who are victims of domestic violence can be represented by private solicitors.

If an inquiry is made by a woman it may be appropriate to refer her to the *Women's Domestic Violence Court Advocacy Service*.

See Policy Online for details of the AVO policies: Criminal Law Policy 4.4 and 4.5.



[Click here](#) to go straight to Policy Online