



# NOTICE – APPLICATION TO WITHDRAW AN APPLICATION

Children's Court (Personal Safety Intervention Orders) Rules 2021 Order 4.07

## About the personal safety intervention order application

In the Children's Court at \_\_\_\_\_

Case no \_\_\_\_\_

Your name \_\_\_\_\_

You are the

Applicant for the intervention order (non-police)

Police Applicant for the intervention order

Respondent's name \_\_\_\_\_

Please tell the Court if your email or home address has changed

## About the application to withdraw the application

I want to withdraw the application for a Personal Safety Intervention Order.

Why do you want to withdraw the application *(please state reason/s)*

I understand the Respondent\* will be served with (given) a copy of this notice in accordance with Order 4.07(2)(a) of the *Children's Court (Personal Safety Intervention Orders) Rules 2021*.

*\* Where the Police are the Applicant, the Affected Family Member will also be served with this Notice.*

I understand if the Court withdraws the application, the protection of any interim personal safety intervention order in place will end.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

## The application for leave to withdraw the application will be heard:

In the Children's Court at: \_\_\_\_\_

Date of Hearing: \_\_\_\_\_

Time: \_\_\_\_\_

If you need information about this notice or the process, you can contact your local Court for help.

## Information for the Recipient

### Understanding this Notice

You have received this notice because the applicant wants to withdraw the application for family violence intervention order.

This notice tells you:

- the applicant is seeking permission from the Court to withdraw the application for intervention order
- why they want to withdraw the application
- when the Court will consider the request to withdraw the application (the hearing date)

### **This notice does not mean the application for intervention order has been withdrawn.**

A magistrate must give permission (grant leave) for a person to withdraw an application. They will consider the application at a hearing – details are on page 1 of this notice.

The Court recommends you appear at the hearing – this is where the magistrate will decide if the application can be withdrawn and will explain their decision.

### **Any interim intervention order will continue while the Court considers this application.**

You can contact the Court if you have questions about this notice or the hearing. If you need non-legal support, you can ask to speak with a family violence practitioner.

For more information on family violence intervention order applications, visit <https://www.childrenscourt.vic.gov.au/family-division/intervention-orders>

## Getting legal advice

You are encouraged to get legal advice before the hearing.

If you are under 18 years of age you are entitled to a **free** lawyer.

If you are over 18 years of age you can hire a private lawyer or you may be eligible for free legal advice from the following services:

Victoria Legal Aid	<a href="http://www.legalaid.vic.gov.au">www.legalaid.vic.gov.au</a>	1300 792 387
Youthlaw	<a href="http://www.youthlaw.asn.au">www.youthlaw.asn.au</a>	03 9113 9500
Community Legal Centre	<a href="http://www.fclc.org.au">www.fclc.org.au</a>	1300 792 387
Victorian Aboriginal Legal Service	<a href="http://www.vals.org.au">www.vals.org.au</a>	1800 064 865
Djirra Legal Services	<a href="http://www.djirra.org.au">www.djirra.org.au</a>	1800 105 303
Q+Law	<a href="http://www.fl.s.org.au">www.fl.s.org.au</a>	03 9968 1002
InTouch Legal Centre	<a href="http://www.intouch.org.au">www.intouch.org.au</a>	1800 755 988
Refugee Legal	<a href="http://www.refugeelegal.org.au">www.refugeelegal.org.au</a>	03 9413 0100
Seniors Rights Victoria	<a href="http://www.seniorsrights.org.au">www.seniorsrights.org.au</a>	1300 368 821
Villamanta Disability Rights Legal Centre	<a href="http://www.villamanta.org.au">www.villamanta.org.au</a>	1800 014 111
Women's Legal Service	<a href="http://www.womenslegal.org.au">www.womenslegal.org.au</a>	03 8622 0600