



## What do I do the next day?

If you have a 'no contact condition', call the police to make arrangements to pick up:

- Your work boots and any work clothes
- Extra clothes and personal items
- Don't just go back. If you have problems making those arrangements with police, call ATSILS on **1800 012 255**

**REMEMBER: DON'T JUST GO BACK.**



## Do I have to go to DV Court?

When they serve you with the papers, police may tell you that you don't need to go to DV Court, but you should go to court because you need to have a say:

- An order may be made even though you and your partner don't want one
- An order may have a no contact condition even though you and your partner want to have contact

So check the police papers and...

- Know what day the order is going to be heard in court
- Ask for legal help in plenty of time before the court date
- If you need advice, call ATSILS on **1800 012 255**

**REMEMBER: YOU SHOULD ALWAYS GO TO COURT TO HAVE YOUR SAY.**



## If you are charged?

You will come before a magistrates court for the charge. The police will also ask the magistrate to make a DV order at the same time. You are entitled to ask for an adjournment to DV Court to get legal help for the DV order.



## Legal Advice Contacts

### ATSILS

You can contact The Aboriginal and Torres Strait Islander Legal Service (ATSILS) 24 hours a day, 7 days a week on our freecall number.



**FREE CALL 1800 012 255**

ATSILS delivers innovative and professional legal services to Aboriginal and Torres Strait Islander people and their families. ATSILS has a network of offices located throughout the state. To find an office closest to you visit:

[www.atsils.org.au/contact](http://www.atsils.org.au/contact)

### Legal Aid Queensland

Indigenous Information Line: **1300 65 01 43**



## Counselling Contacts

### Lifeline

(24 hours) **13 11 14**

### DV Connect\*

(Men) (9 a.m. to midnight only) **1800 600 636**

(Women) **1800 811 811**

### Relationships Australia

**1300 364 277**

Locally:

\*Charges may apply for calls on mobile phones



# ATSILS

Aboriginal and  
Torres Strait Islander  
Legal Service (Qld) Ltd

## What if you are in a DOMESTIC VIOLENCE incident?



**Police are going to proceed against me on a domestic violence matter, what should I do next?**

**This leaflet looks at:**

- What do I do when the police arrive?
- What if the police want to interview me?
- What do I do straight away?
- What do I do the next day?
- Do I have to go to DV Court?
- Police Protection Notices and DV Orders
- No contact conditions
- We were just arguing, is that domestic violence?



## What do I do when the police arrive?

The police have powers to come onto your property to investigate a domestic violence incident:

- The police do have powers to come onto your property to see if domestic violence is occurring
- Try to stay calm. Be careful not to obstruct them as you could be charged for that



## What if the police want to interview me?

You have the same rights to silence as for any other charge in Queensland:

- You tell police you will give them your correct name and details (address, date of birth, place of birth)
- Tell police you do have a lawyer (ATSILS) and you don't want to be questioned without legal advice
- If you do have a place to go to, tell police that you do not want to go with them unless they are arresting or detaining you
- If police are arresting or detaining you, tell them you want to telephone ATSILS as soon as possible
- If an independent person is needed for an interview, tell them you want someone from ATSILS



## What do I do straight away?

Before police take you away from the house:

- Do you have your wallet and phone?
- Do you have footwear?
- Have you told police you have somewhere else to stay?
- If you need advice, call ATSILS on **1800 012 255**

## No Contact Conditions



### What if my partner says it is OK to visit?

For no contact conditions: remember that once a court says that you can't be in contact, then only the Court can change that to say that you can.

- If you do contact your partner, you will be breaking the law
- You can only be in contact if the Court has made a new order
- If your partner says it has changed, make sure you see the new order that says so
- If you are not sure or if your partner keeps on contacting you, call ATSILS for legal advice
- If you need to make arrangements to see your children, call ATSILS for legal advice



### We were just arguing, was it really domestic violence?

Just because two people in a relationship have an argument, even a loud argument, it doesn't mean it is domestic violence.

- Relationships include a relationship with an intimate partner, a family member, or an informal care arrangement. Everything below about partners also applies to these other relationships

### Domestic Violence can be:

- Abusive, threatening, or controlling behaviour
- Harming your partner or threatening to do so
- Pressuring your partner for sex
- Going through your partner's Facebook account or tracking their movements
- Acts that are economic abuse

### Domestic Violence can also be:

- Not just physical violence but also threats or acts to damage property, control your partner, or make them afraid for someone else's safety or wellbeing
- Getting someone else to do these acts
- Threats or acts of self harm to frighten your partner
- Breaches of a Domestic Violence Order

**This is just a short list in non-legal language. Get legal advice on what sort of acts can be considered domestic violence.**



### What if the argument is getting out of hand?

- Walk away and de-escalate the argument
- Make sure everyone is safe and take time to cool down
- Respectful and safe actions improve relationships
- If you need help dealing with difficult issues in a relationship talk to an elder or a someone you trust to give good advice on better ways to sort the problems out

**REMEMBER: ALWAYS SEEK LEGAL ADVICE AS SOON AS YOU CAN.**



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