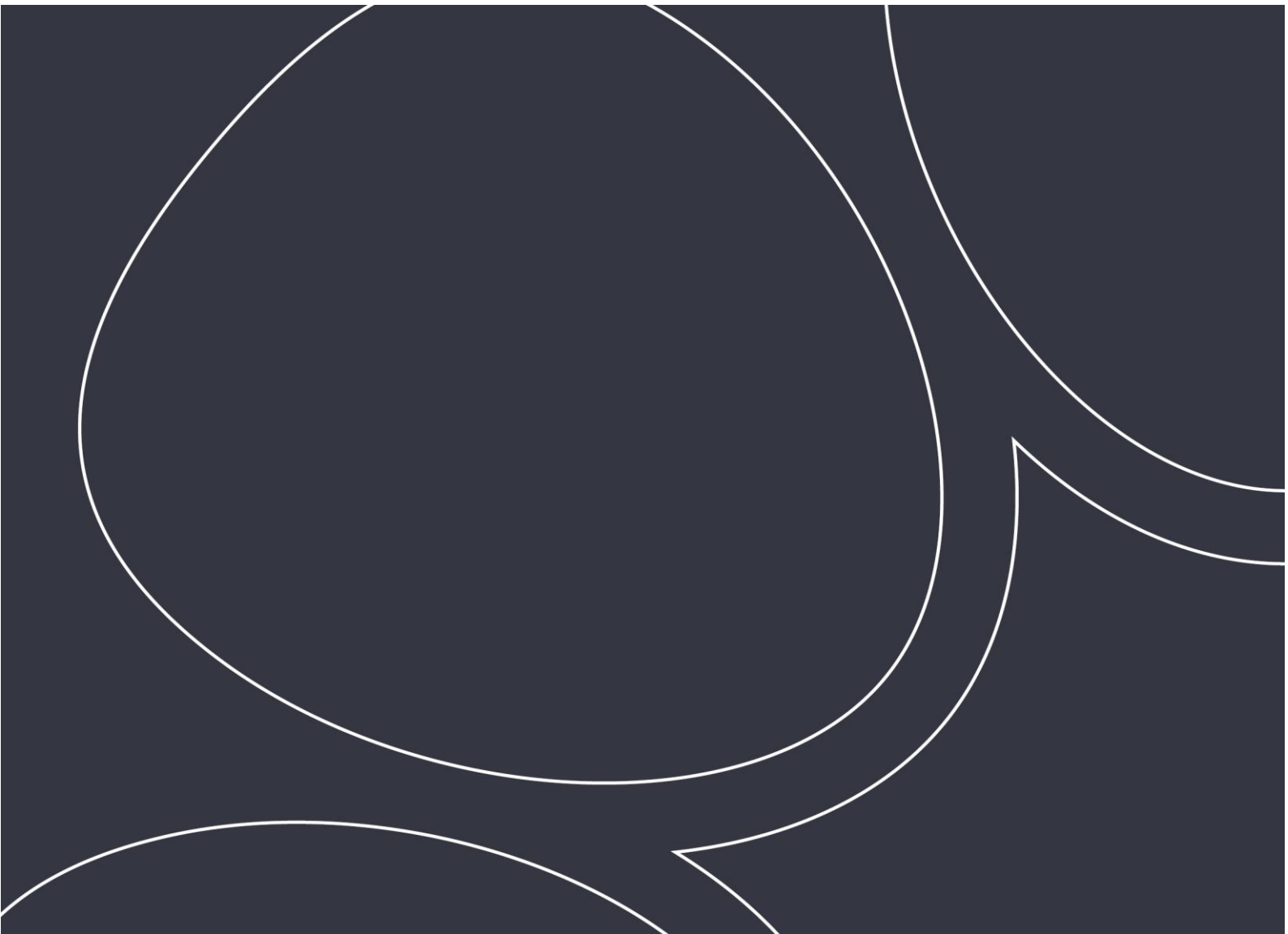


Applying for a Domestic Violence Order

Policy



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Version	Date	Author	Changes made
1.0	16/03/2015	Operational Policy	First version
1.01	06/02/2017	Operational Policy	Rebranded, internal links reset, Caseworker to Case Manager
1.02	27/05/2017	Operational Policy	Minor amendments
2.0	24/04/2025	Agency Policy and Procedures	Rebranded document and added headings: 2. Scope, 4. Legal consultation requirement, 4.1 Domestic violence order considerations, 5. Staff responsibilities, 7. Related resources; added a term table; replaced words: Section 53 replaces 29(1), Child in care replaces substitute care case, <i>Department of Children and Families</i> replaces <i>Territory Families</i> , practitioner replaces case manager; emphasised legal consultation requirement and for assessment frameworks to be followed.
2.01	28/01/2026	Operational Policy	Rebranded – as per Northern Territory Government brand guidelines.

Acronym	Full form
DVO	Domestic violence order
NT	Northern Territory
Practitioner	Child protection practitioner
The Act	Care and Protection of Children Act 2007
The Department	Department of Children and Families

Term	Definitions
Child	As defined by the Care and Protection Children Act 2007 and the Domestic and Family Violence Act 2007 - a 'child' refers to a person who is under 18 years of age.
Domestic violence	Domestic and family violence is defined in the DFSV (domestic, family and sexual violence) risk assessment and management framework (RAMF) as: The combination of tactics and forms of violence which are often used to exercise control over

	women, children, and other family members. The violence can take the form of physical, sexual, stalking, emotional, psychological, technology-facilitated and financial abuse and it can include criminal and non-criminal behaviour and as a pattern of behaviour aimed at controlling a partner, ex-partner or family member through fear, for example by using behaviour, which is violent and threatening, and to place at risk their immediate and longer-term safety and wellbeing.
Domestic relationship	<p>Under Section 9 of the Domestic and Family Violence Act 2007, a domestic relationship can include:</p> <ul style="list-style-type: none"> • any family relationship (such as mothers, fathers, sisters, brothers, cousins, aunts, uncles, grandparents; people who are/were step-children, step parents, in-laws; people who have custody or guardianship and people related according to Aboriginal tradition or practice). • Intimate personal relationships (who/were married or defacto, partners who are dating even if it is casual or relationship is/was not sexual or they are engaged to each other). • Cohabiting relationships (people who ordinarily or regularly live together including housemates, relatives of housemates, or former housemates). • Carer relationships (people who provide or receive ongoing care, regardless if they live together).
Domestic violence order	A domestic violence order (DVO) is a protection order made by the Local Court to protect a person against domestic violence or threats of violence.
Legal Services	The Department of Children and Families' legal team.
Perpetrator	Refers to the person who uses violence, abuse or coercive control against a current or former intimate partner, or a member of their family or household, regardless of whether they have been convicted of a crime.
Practitioner	Under the Domestic and Violence Act 2007, child protection officer means an officer of an Agency who has powers and functions for the protection for children under an Act.
Non-offending Parent/Person experiencing violence	A non-offending parent is a term commonly used by child protection practitioners to refer to the parent or caregiver who is not perpetrating the DFV against the child.

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1. Purpose

This policy explains the circumstances for applying for a domestic violence order (DVO) to keep children safe. It emphasises practitioners' responsibilities to complete risk assessments under the Department of Children and Families' (the Department) frameworks. Also, it highlights the requirement to immediately consult with the Department's Legal Services when considering a DVO.

2. Scope

This policy is for all Department staff involved in applying for a DVO on behalf of a child. This includes child protection practitioners (practitioners), Aboriginal community workers, team leaders, managers and Legal Services.

3. Policy statement

Practitioners must apply for a DVO under Section 53 of the Domestic and Family Violence Act 2007 to protect children if they believe on reasonable grounds:

- a) domestic violence was committed, is being committed or is likely to be committed and
- b) the child's wellbeing was, is or is likely to be adversely affected by violence.

Practitioners must complete a risk assessment under Department frameworks and consult with Legal Services when considering a DVO. Legal Services must be consulted at any stage while a DVO is being considered, even if there are uncertainties about a filing a DVO application.

When there is an immediate threat to the safety of a child because of domestic violence, practitioners should notify the police, irrespective of the wishes of the non-offending person. Any suspected criminal offence committed against a child must also be immediately reported to the police.

4. Legal consultation requirement

Practitioners must immediately contact DCF Legal Services when a DVO is being considered.

DCF Legal Services contact details: phone 08 8999 2619 or email DCF.LegalServices@nt.gov.au

Legal Services will consult on any concerns about the impact of a DVO on a person's safety and will work with practitioners, Aboriginal community workers, team leaders, and managers to ensure all relevant facts are considered before proceeding.

4.1. Domestic violence order considerations

Domestic violence can happen between a parent and partner, ex-partners and relatives or parent/partner and child. Refer to this policy's domestic violence and domestic relationships definitions. An application for a DVO should be considered in these contexts:

- as part of risk reduction during the child protection investigation stage.
- at any point in the case planning and review processes for open child protection cases or open family support cases (e.g. Strengthening Families, After Care Support - if the child is under 18 years of age - and protective assessments).

- as part of the case planning and review process for a child in care where a child is on a protection order and the child is placed, or it is planned to place the child in a family placement.

An application is not required in the following situations:

1. A current police DVO or a DVO from the Local Court is already in force that includes the child.
2. There is a current order that is adequately protecting the child under another Act.
3. The respondent of the DVO is a child 13 years old or younger.

A young person between 15 and 18 years old, who is in a domestic relationship can apply for a domestic violence order. Refer to the Working with young people using domestic violence and young people who are victim-survivors of intimate personal violence practice resource for further information and consult with Legal Services.

In rare cases, practitioners could apply for a DVO on behalf of an adult with their consent. Generally, if an adult needs protection and cannot apply, it is likely that police would apply on their behalf.

5. Staff responsibilities

Practitioners must complete assessments under the Department's frameworks and consult with management and Legal Services when considering a DVO.

6. Legislative basis

[Care and Protection of Children Act 2007](#)

[Domestic and Family Violence Act 2007, Section 5, 9, 53 \(a-d\)](#)

7. Related resources

This policy must be read with other related documents, including but not limited to:

[Applying for a domestic violence order \(DVO\) - procedure](#)

[Child in care – practice guidance](#)

[Working with young people using domestic and family violence – Practice resource](#)

[Working with young people who are victim-survivors of intimate partner violence – Practice resource](#)