

How do ADVOs get made?



FAMILY VIOLENCE LAW HELP

www.familyviolencelaw.gov.au

New South Wales (NSW)

If someone has used domestic and family violence against you, an Apprehended Domestic Violence Order (ADVO) may help keep you safe.

If you, or someone you are with is in immediate danger—call police on Triple Zero (000).



How are applications made?

In New South Wales, you or the police can apply for an ADVO to protect you and your children. You or the police can apply for an ADVO if someone has used domestic and family violence against you, or if you're scared they will.

If you have experienced domestic and family violence, you should contact the police. In some cases, police can make a Provisional ADVO for your protection. A Provisional ADVO is an urgent order that can protect you until the case goes to court.

If the police apply for an ADVO to protect you or your children, it may not be up to you if the ADVO goes ahead or not.

If the police don't take out an ADVO for you or if you don't feel comfortable going to the police, you can apply for an ADVO at the [Local Court](#). It's important to get legal advice about this.

The [Children's Court](#) can also make or change an ADVO in some child protection cases.



Who can orders be made against?

You or the police can apply for an ADVO to protect you from:

- your current partner or ex-partner
- someone you are or were in an intimate relationship with (even if there was no sexual relationship)—like someone you dated
- relatives such as your child, mum, dad, siblings, grandparents, grandchildren, step-parents, step-children, step-siblings, half-siblings, in-laws, uncle, aunt, cousin, niece, nephew or someone you used to be related to
- Aboriginal or Torres Strait Islander kinship relatives
- your current or former housemates, or some people who have lived in the same long-term residential facility
- someone who is or was your carer or dependent—if they were paid or not
- your ex-partner’s new partner, or your partner’s ex-partner.

If the person you want protection from is not listed above, get legal advice.

You may be able to apply for a different type of order, called an Apprehended Personal Violence Order.

For more information, visit www.familyviolencelaw.gov.au

While we have tried to make the information here as up-to-date and accurate as possible, the law is complex and always changing. All legal problems are different. You should see a lawyer to get advice about your problem. Legal Aid NSW, National Legal Aid and the Commonwealth Attorney-General’s Department are not liable for any errors or omissions, or for any loss or damage that arises from any person who relies on any information on this factsheet. This factsheet was developed in 2019.

