**Domestic Violence Undertaking**

Pursuant to Practice Direction 30

*Domestic and Family Violence Act 2007*

Case No:

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| 1. **PARTIES** | | |
| Applicant | Name:  Date of Birth:  Address: | |
| Respondent | Name:  Date of Birth:  Address: | |
| Protected Persons | Name:  Date of Birth:  Relationship: | Name:  Date of Birth:  Relationship: |
|  | Name:  Date of Birth:  Relationship: | Name:  Date of Birth:  Relationship: |
|  | Name:  Date of Birth:  Relationship: | Name:  Date of Birth:  Relationship: |
| 1. **TERMS OF THE UNDERTAKING** | | |
| I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_­­­­­­­­­­­\_\_\_\_\_\_\_\_, of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  UNDERTAKE TO THE COURT, without admission as to liability and for a period of \_\_\_\_\_\_\_\_\_ months\*/years\* *(\*select one)* from today’s date, that I will not: | | |

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| **MANDATORY UNDERTAKING** | | |
| **1.**  The respondent is prohibited from committing domestic violence against each protected person | **Adult** | **Child** |
| **NON-CONTACT UNDERTAKING** | | |
| **2.**  Approaching, contacting or remaining in the company of the protected person/s directly or indirectly (contact includes by mail, phone, text messages, email, social media or other forms of communication)  **EXCEPT: 2(a)**  **for the adult protected person**, via or in the presence of a solicitor, family dispute resolution practitioner, third party nominated by the protected person, Children’s Contact Centre worker, for the purposes of these proceedings, making arrangements for the children or property of the parties, or in accordance with a Parenting Plan, or Family Law Order  **2(b)**  **for the non-adult (children) protected persons**, in the presence of a Children’s Contact Centre worker or a third party nominated by the Adult protected person, for the purposes of spending time with the children of the parties, or in accordance with a Parenting Plan, or Family Law Order\* |  |  |
| **3.**  Approaching, entering or remaining at any place where the protected person/s is living, working, staying, visiting or located;  **EXCEPT: 3(a)**  **for the adult protected person,** via or in the presence of a solicitor, family dispute resolution practitioner, third party nominated by the protected person, Children’s Contact Centre worker, for the purposes of these proceedings, making arrangements for the children or property of the parties, or in accordance with a Parenting Plan, or Family Law Order  **3(b)**  **for the non-adult (children) protected persons,** in the presence of a Children’s Contact Centre worker or a third party nominated by the Adult protected person, for the purposes of spending time with the children of the parties, or in accordance with a Parenting Plan, or Family Law Order\*  **3(c)**  to attend (insert address)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ only when in the company of a police officer to collect personal property belonging to the respondent |  |  |
| \* The effect of these orders are that the defendant will only be able to spend supervised time with the children unless a Parenting Plan or a Family Law Order says otherwise. | | |
| **NON-CONTACT WHILE INTOXICATED UNDERTAKING** | **Adult** | **Child** |
| **4.**  Approaching, contacting or remaining in the company of the protected person/s directly or indirectly when consuming alcohol or another intoxicating drug or substance or when under the influence of alcohol or another intoxicating drug or substance;  **5.**  Approaching, entering or remaining at any place where the protected person/s is living, working, staying, visiting located if consuming alcohol or another intoxicating drug or substance or when under the influence of alcohol or another intoxicating drug or substance; and  **6.**  Must submit to a breath test and/or breath analysis and/or drug test when requested by a police officer in relation to this order. |  |  |
| **NON-VIOLENCE UNDERTAKING** | **Adult** | **Child** |
| **7.**  causing harm or attempting or threatening to cause harm to the protected person/s |  |  |
| **8.**  causing damage to property, or attempting or threatening to cause damage to property of the protected person/s |  |  |
| **9.**  intimidating or harassing or verbally abusing the protected person/s |  |  |
| **10.**   stalking the protected person/s |  |  |
| **11.**  exposing a protected person or children of the protected person to domestic violence | | |
| **12.** locating or attempting to locate the protected person or children of the protected person, or any child who usually resides with the protected person | | |
| **PREMISES EXCLUSION UNDERTAKING** | | |
| **13.**  The respondent must vacate the premises located at (insert address) \_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ within \_\_\_\_day/s, and the respondent is restrained from returning to the said premises, unless accompanied by a police officer to retrieve the respondent’s personal property | | |
| **14.**  The respondent is restrained from approaching within \_\_\_\_ metres of the premises located at (insert address) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | | |
| **INTIMATE UNDERTAKING** | | |
| **15.**  The respondent must immediately destroy any intimate image of the protected person in the respondents possession and control and must not share, publish, distribute or obtain any intimate image/s of the protected person | | |
| **OTHER UNDERTAKING/S** | | |
| (Outline any other undertaking/s)  **16.** | | |

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| 1. **SIGNATURE** |
| I understand that if I do not comply with the terms of this Undertaking, the Court may consider that in any future application and I may be brought before the Court for Contempt of Court. A person found guilty of Contempt of Court could be punished by way of imprisonment for up to 6 months or a fine of up to $15,600.  Signature of party making the Undertaking Date: |