



DOMESTIC VIOLENCE
COURT ASSISTANCE FOR PEOPLE IN
SAME SEX RELATIONSHIPS



**Safe
Relationships
Project**

DOMESTIC VIOLENCE COURT ASSISTANCE

A PROJECT OF THE INNER CITY LEGAL CENTRE
FUNDED BY THE PUBLIC PURPOSE FUND



What is the Project?

The aim of the Safe Relationships Project (SRP) is to provide men and women who are experiencing domestic violence in Same Sex relationships with support, advocacy, referral and information.

The Safe Relationships Project will assist clients in accessing legal representation and to apply for Apprehended Domestic Violence Orders (ADVO) or Apprehended Personal Violence Orders (APVO) to help put an end to the violence they are experiencing.


This is available to ensure that a person's right to safety is protected through the legal process no matter what their sexual orientation is.

Where does the Project operate?

We are located at the Inner City Legal Centre in Kings Cross and have outreach services at some Local Courts across Sydney. We can also provide telephone support to people living outside of Sydney.

You can visit us at our office at
50-52 Darlinghurst Road, Kings Cross
by making an appointment.
Ph: 9332 1966 or 1800 244 481

Your legal records will be kept at Inner City Legal Centre.



Does the law recognise my relationship?

Yes. In 2008, the Australian Government introduced reforms to ensure that Same Sex de facto couples are entitled to the same benefits and subject to the same obligations as opposite sex couples.

The law recognises that people in Same Sex relationships need the same protections as everyone else.

Are there different AVO laws for people in Same Sex relationships?

No, the laws about AVOs are the same for Same Sex attracted people and Straight people.

When the courts look at the application and the parties involved, they will only see an Applicant and a Defendant.

What if I'm not 'out'?

The SRP understands the sensitive issues around 'coming out' and being 'outed'. The SRP will respect your privacy and endeavour to keep your sexual orientation private at all times.

In some circumstances however, your sexual orientation may need to be disclosed in Court, for example, if the application is defended. If this situation arises, the SRP can support you through that process.

Are the Courts and/or Police homophobic?

Going to Court and dealing with the Police can be a stressful and daunting experience for anyone. For Same Sex attracted people it can be even more stressful due to the unknown fear of homophobia being present.

The Court staff and Police are trained in equity and diversity and should not present homophobic attitudes. The Courts are a public space and with the help of the SRP you can feel safe and secure throughout the Court process.

What will happen with my kids?

Children can be protected if they are named as additional Persons in Need of Protection (PINOPs).

The laws affecting Same Sex couples who are parenting have recently changed. If you are caring for children in your relationship, you should seek some legal advice about your rights and responsibilities under the law.

What do I do if I need an Interpreter?

Interpreters for clients are usually ordered by Court staff. If you are not sure whether the Court has ordered one for you, contact the Court registry or ring the SRP at least three days before you are due to go to Court.



What will happen at the appointment?

You can meet the Project Officer who can discuss your situation with you. The Project Officer can provide you with information about the Court process and answer any questions you may have.

The Project Officer can also provide you with information about other services (e.g. housing, income security, counselling, ongoing support), which assist victims of domestic violence, and advise you on how to deal with these problems.

If requested, the Project Officer might be able to organise a solicitor to represent you at Court. The solicitor will give you legal advice about the orders you are seeking and talk on your behalf to the Court.

How can I use the service?

If you wish to use the service, contact the Safe Relationships Project Officer at the Inner City Legal Centre **before your court day**. This is particularly important as you can discuss with the Project Officer what is going to happen when you go to Court. The Project Officer may then either be able to attend your Court day with you or have a solicitor represent you.

If you are reading this pamphlet at your local Court on your Court day and would like assistance, please call the phone number provided or ask for Legal Aid at your local Court.

Do I have to pay?

No. The service is free.





Safe Relationships Project

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Referral Information

Domestic Violence Line

The Department of Community Services Domestic Violence Line is the primary information service for people experiencing domestic violence in NSW.

*The DV line is free and staffed 24 hours,
7 days a week.*

Ph: 1800 65 64 63

Another Closet

www.ssdv.acon.org.au

For More Information:

Ph: (02) 9332 1966 or 1800 244 481

www.iclc.org.au/srp