



## ATTENDING A FAMILY VIOLENCE RESTRAINING ORDER CONFERENCE INFORMATION FOR PARTIES

### What is a Family Violence Restraining Order Conference?

When a Family Violence Restraining Order (**FVRO**) has been granted and objected to, a conference is a way for the parties to try to reach an agreement on that FVRO without needing to go to a hearing (or trial) before a Magistrate. The conference is a type of mediation conducted by a Registrar at the Court, and will only take place if both parties agree to participate.

### Will I be in the same room as the other party?

No. You and the other party will be in different areas of the court building and will not be brought together at any stage during the conference. The Registrar will move (or “shuttle”) between the two areas to speak to each party separately. There are videos on the Magistrates Court website at [Family Violence Restraining Order Videos \(magistratescourt.wa.gov.au\)](https://magistratescourt.wa.gov.au/fvros) explaining the conferencing process in greater detail.

## Before the Conference

### Legal Advice

Parties are encouraged to seek legal advice before the conference. The contact details of several legal service providers can be found at [www.magistratescourt.wa.gov.au/conferencing](https://www.magistratescourt.wa.gov.au/conferencing).

At Perth Magistrates Court, Legal Aid WA and Sussex Street Community Law Service (SSCLS) provide a **free duty lawyer service** for the Applicant (the person protected) and the Respondent (the person bound). The duty lawyer services are available to everyone as they are not means or assets tested. While the duty lawyer services will be available at Court on the day, it can be beneficial to obtain legal advice before the day of the conference. Legal Aid WA and SSCLS can offer free legal advice to parties before the conference. Their contact details are:

**Legal Aid WA**  
**1300 650 579**

**SSCLS**  
**(08) 6253 9500**

### Support Agencies

A list of support service providers, for both the person protected and the person bound, can be found on the Magistrates Court website at [www.magistratescourt.wa.gov.au/conferencing](https://www.magistratescourt.wa.gov.au/conferencing).

### Preparing for the Conference

In preparing for the conference, it may be useful to obtain copies of the Applicant’s FVRO application and the transcript from the initial hearing. It may also be helpful to consider:

- How the current conditions of the interim FVRO are working and any difficulties that arise from them;
- What the best and worst outcomes for you and your family may be; and
- Whether there are any terms in the current FVRO you may be willing to negotiate.

### Possible Conference Outcomes

A conference can conclude with a variety of agreed outcomes, including a Conduct Agreement Order or an Undertaking. Alternatively, if the matter does not settle, it can be adjourned to allow something to occur, or it can be listed for a final order hearing.



### **Postponing/cancelling the Conference**

If you need to adjourn or cancel the conference, please contact the Court as soon as possible. You will need to provide a reason for the adjournment request. The Registrar will assess the request and then decide whether the adjournment should be granted.

## **The Day of the Conference**

### **Time, place, location**

Before the conference, you will receive notification from the Court stating the time, date and location of your conference. If you are going to be seeing the duty lawyer, please arrive at the time specified on your notice, to allow enough time for the duty lawyer to take your instructions and give you legal advice.

### **How long does a Conference go for?**

The Court lists each conference for two hours.

### **What happens if I do not attend?**

If you do not attend, the Registrar may make orders in your absence. If you are the Applicant, the Registrar may cancel your interim FVRO and dismiss your application. If you are the Respondent, the Registrar may make the interim FVRO final in your absence. The Registrar also has discretion to adjourn the conference to another date or list the matter for a hearing.

### **What is the Registrar's role in the Conference?**

The Registrar remains independent and does not hear evidence from the parties, make judgements or "take sides". The Registrar is experienced in helping people reach a settlement – their role is to facilitate the mediation and control the conference process. The Registrar may formalise any agreement reached in a court order that is binding on the parties.

### **Can I bring a support person?**

Yes, you can bring someone to support you during the conference. However, the support person must be approved by the Registrar at the time of the conference and cannot be a person who is a witness in, or a party to, the proceedings. Please note, it is at the discretion of the Registrar whether the person will be allowed to sit in on the conference or not.

### **Can I bring my children to Court?**

Please arrange childcare arrangements for the time of the conference as children are discouraged from attending the conference. There are no childcare facilities at the Court.

In certain situations, the Department of Justice can pay for child-minding services. To arrange this, you must contact the Court at least one week prior to the date of the conference. Please note, childcare is not guaranteed, and requests made on the day of the conference cannot be accommodated. For further information, please contact the Court.

To contact Perth Magistrates Court, please:

- Call (08) 9425 2222, or
- Email [PerthMagistratesCourt@justice.wa.gov.au](mailto:PerthMagistratesCourt@justice.wa.gov.au).

**For further information, please refer to the FVRO Conferencing webpage at [www.magistratescourt.wa.gov.au/conferencing](http://www.magistratescourt.wa.gov.au/conferencing)**