

## 在 ACT 申请个人保护令或家庭暴力强制令的程序 视频文字记录

### *Applying for a Personal Protection Order or Family Violence Order in the ACT* Transcript of Video

#### Translation into Simplified Chinese

This video will explain the process for applying for a personal protection order or family violence order in the ACT.

本视频为你解释在 ACT 申请个人保护令或家庭暴力强制令的程序。

If you are experiencing violence, you can apply to the ACT Magistrates Court, the ACT Magistrates Court, for a court order. A court order puts conditions on another person, like having to stay away from you or not contacting you.

如果你正在遭受暴力伤害，可向 ACT 裁判法院，即 ACT Magistrates Court，申请一份法庭保护命令。这份法庭命令规定另一方必须遵守一些规定，例如不能接近、接触或联络你。

If you are granted an order and it is served by the police on the other party, any breach of the order can be reported to the police because it may be a criminal offence.

法庭同意颁发保护命令之后，警务人员会将该份命令文件送达另一方。如果另一方有违反命令的行为，则可能构成刑事犯罪，可以报警处理。

To apply, you need to fill in an application form and lodge it 'in person' at the ACT Magistrates Court.

如要申请法庭命令，你必须填写一份申请表，并亲自递交给 ACT 裁判法院。

The forms are available from the Court enquiry counter or the ACT Magistrates Court website [www.courts.act.gov.au/protection](http://www.courts.act.gov.au/protection)

你可以在法院问讯柜台向工作人员索取一份申请表格或在 ACT 裁判法院网站上下载，网址是 [www.courts.act.gov.au/protection](http://www.courts.act.gov.au/protection)

Assistance with the forms is available from the Domestic Violence Crisis Service, DVCS, or from Legal Aid, which both have offices within the Court building.

如果你需要协助填写申请表，可联络家庭暴力危机服务处（DVCS）或法律援助署（Legal Aid）。这两处机构在法院内都设有办公室。

Telephone interpreters can also be made available for persons who do not speak English.

不会说英语的人士可使用电话口译服务协助。

When coming to Court, you will be required to go through security and take a numbered ticket. Our counter staff will assist you when your number is called.

你到法院时，首先要接受保安检查，然后需要拿取一张号码票。工作人员会叫唤你的号码并协助你办理相关手续。

You can come to the Court alone or with family members, support persons or a lawyer. If you believe your matter is urgent, please advise the counter staff.

你可以单独一人前来法院，也可由家人、律师或其他支持人员陪同。如果你认为自己的情况比较急迫，应告诉接待你的工作人员。

The Court enquiry counter is open from 9am and it is advised you arrive early.

法院问讯柜台每日上午 9 时开始工作，因此建议你尽早到达办理。

If you need immediate protection from violence, you can indicate on the application form that you want to apply for an interim order.

如果你急切需要保护以免受暴力伤害，可在申请表上注明自己希望申请一份临时保护令。

An interim order is a temporary order, put in place until a final decision can be made by the court.

这是在短期内有效的法庭命令，有效期至法庭对你的案件作出最后裁决为止。

If you apply for an interim order, a Deputy Registrar will listen to you in Court, and make a decision whether to grant an interim order or not.

如果您希望申请临时命令，则要到庭向一名副常务司法官陈述理由，由其决定是否应准许你的呈请。

In Court, you will need to take an oath or affirmation that what you are saying is true. You will need to tell the court, what the other person did that made you fear for your safety (this is known as 'giving evidence').

向法庭作陈述前，你必须发誓或宣誓，声明自己将要述说的是真实情况。你必须告诉法庭另一个人的哪些行为造成你担心自己的人身安全（这一程序称为“作证”）。

The Deputy Registrar will ask you a series of questions about, why you are afraid, personal circumstances and living arrangements. A telephone interpreter is made available for persons who do not speak English.

副常务司法官会问你一系列问题，包括导致你恐惧的原因、你们的个人情况以及生活安排等。法庭可为不会说英语的人士安排电话口译员协助。

The court only makes an interim order if there is an immediate need for it.

<p>法庭只有在确信临时保护令确实急需并且必要的情况下才会同意颁发命令。</p>
<p>If an interim order is granted, it will only take effect when the Police give a copy, or 'serve' the order' on the other party, who is known as the 'respondent'.</p>
<p>如果法庭同意并颁发临时命令，警务人员必须将命令副本“送达”另一方当事人。他们也被称为“答辩人”。完成这一程序之后命令正式生效。</p>
<p>If you wish to apply for an interim order, it is best you lodge your documents before 11.30 am so you can be heard by a Deputy Registrar on the same day.</p>
<p>如果打算申请临时命令，你最好在上午 11 时 30 分之前递交相关文件，以便副常务法官能在同一天审理你的要求。</p>
<p>If your application is lodged after 11.30am, the court will decide if the circumstances are urgent enough for the interim order to be heard in court that day, or the next normal working day.</p>
<p>如果你在上午 11 时 30 分之后才递交申请，法庭则会根据案情紧急程度，决定是否于当天处理或是在下一个正常工作日才作审理。</p>
<p>If you are applying for an interim order, you will have to wait for your matter to be heard in court. The timeframe is dependent upon the number of applications and how long each takes to hear.</p>
<p>你提出申请临时命令之后，需要在法庭等候。法庭会逐一处理当天的案件。等候时间长短取决于当日需要处理的案件数量以及审理每宗案件所需的时间。</p>
<p>Please make sure you taken this into account when organising things like parking or childcare.</p>
<p>所以你应该妥善安排诸如停车或幼儿托管等事务。</p>
<p>All applicants will be given a notice advising when you have to come back to court for a court conference.</p>
<p>每一名申请保护令的人都会收到通知，告知你必须何时出席法庭安排的司法会议。</p>
<p>The conference process is explained in the next video.</p>
<p>我们将在下一段视频中解释司法会议的程序。</p>
<p>Every situation is different, and what happens may not occur exactly as shown in the video.</p>
<p>没有两个案件是一模一样的。视频中所描述的情景可能与实际情况有所不同。</p>
<p>If you are in a life threatening situation or immediate danger call 000.</p>
<p>如果有生命危险或情况危急，你必须立即拨打电话“零零零”求助。</p>
<p>There are also organisations which may be able to assist you.</p>

有一些机构与组织也能为你提供需要的协助。

For further information please visit the ACT Magistrates Court website or contact the Protection Unit in the Court Registry.

了解详情可访问 ACT 裁判法院网站或联络法院登记处下属的安全保护科查询。