

# Undertaking

**NOTE: This undertaking is not a court order**

---

In the Magistrates' Court at:

Case No:

---

Applicant:

Address: (if safe to disclose)

---

Affected family member:

Address: (if safe to disclose)

Additional affected family members:

---

Respondent:

Address: (if safe to disclose)

---

UNDERTAKING GIVEN BY: (Name of respondent)



Undertaking

**1. I undertake that I WILL NOT:** (Please select conditions that are applicable)

- a) **Commit family violence** against the protected person(s).  
Note:  
The Family Violence Protection Act 2008 defines family violence as behaviour by a person towards a family member of that person that is physically or sexually abusive, emotionally or psychologically abusive, economically abusive, threatening, coercive, or in any other way controls or dominates a family member and causes that family member to feel fear for their safety or wellbeing of that family member or another person.  
Family Violence includes behaviour that causes a child to hear or witness or otherwise be exposed to the effects of these behaviours.
- b) Intentionally **damage any property of the protected person(s)** or threaten to do so.
- c) Attempt to locate, **follow** the protected person(s) or keep him/her/them under surveillance.
- d) **Publish on the internet, by email** or other electronic communication any material about the protected person.
- e) **Contact or communicate** with a protected person by any means.
- f) **Approach** or remain within  metres of the protected person(s).
- g) **To go** or remain within  metres of the home at  
  
or any other place where the protected person lives, works or attends school or childcare.
- h) **Get another person** to do anything the respondent must not do under this undertaking.
- i) **Other**

**2. I undertake that I WILL:**

- Attend counselling / a behaviour change program / drug and/or alcohol rehabilitation program:  
at (organisation)   
on (date)



Other conditions:

## Undertaking

### 3. I acknowledge that: (Please select the appropriate statement)

There is a Family Law Act order written agreement or child protection order relating to arrangements for our child/children;

**OR**

There is no Family Law Act order, written agreement or child protection order relating to the arrangements for our child/children; and

#### Provided I don't breach this undertaking by committing family violence, I can:

- a) do anything that is permitted by a Family Law Act order, written agreement or child protection order relating to arrangements for our child/children;
- b) negotiate child arrangements by letter, email or text message;
- c) communicate with a protected person through a lawyer or mediator;
- d) arrange and/or participate in counselling or mediation with the protected person; and
- e) go to the home of a protected person, in the company of a police officer or person chosen by the applicant to collect personal property.

### 4. I understand that:

- a) this undertaking is not a court order and the police cannot enforce the undertaking;
- b) breach of an undertaking is not a criminal offence;
- c) the applicant can apply to reinstate the family violence intervention order in future; and
- d) evidence of breach of an undertaking may be used in later proceedings.

#### The respondent gives this undertaking without admitting what is said in the application.

**This undertaking will last until:**

**Date:**

**Respondent's signature:**

**Date:**

#### I/we accept the respondent's undertaking.

**Applicant's signature:**

**Date:**

**Affected Family  
Member(s)'s signature:**

**Date:**

When the respondent gives this undertaking, the application will be withdrawn with the right of reinstatement.

NOTE: The police **cannot** enforce this undertaking- it is **not** a court order.