



Queensland Police Service

Application for Police Review of Police Protection Direction

Domestic and Family Violence Protection Act 2012 Section 100U

Who can use this form

You can make an application for Police Review if you are named as any of the following in relation to a Police Protection Direction (PPD) that has been issued by a police officer:

- the aggrieved,
- the respondent,
- an authorised person for the aggrieved, or
- a named person.

However, a named person may only seek a review to:

- remove their name from the PPD, or
- change any condition(s) on the PPD that relate to the named person.

An authorised person is an adult authorised in writing by the aggrieved to represent the aggrieved in relation to an Application for Police Review.

How to apply

You can make an Application for Police Review by:

1. **Attending any police station**, completing the application for Police Review form and submitting the completed application at the counter of the police station; or
2. **Downloading** the application for Police Review form available from www.police.qld.gov.au completing and submitting a copy at any police station.

Required supporting documents

A person submitting an application for Police Review of a Police Protection Direction will be required to provide proof of their identity.

To help you complete this application it may assist you if you have access to a copy of the Police Protection Direction that you want reviewed.

Prescribed period for application for Police Review

The **prescribed period** within which an application for Police Review may be made is the period **28 days** after the notice stating the grounds for issuing the direction is served on the respondent.

An extension of the time to make an application for Police Review may be requested. Reasons for an extension should be provided. If there is not sufficient reason, an extension may not be granted. If an extension is not granted, a Police Review may not be conducted - and you will be notified accordingly.

What to expect after the application

A Reviewing Officer will conduct a Police Review and must make a decision within 28 days after a Police Review is commenced, unless a Court Review is commenced prior to the Police Review being decided.

Request of further information

The Reviewing Officer may seek relevant information from other persons during the conduct of the Police Review.

Current direction conditions

The Police Protection Direction is still enforceable during a Police Review.

Please note:

Contravening the Police Protection Direction is an offence. Maximum penalty of **3 YEARS IMPRISONMENT** or a fine of 120 penalty units.

Impact of Court Review on Police Review

If an Application for Court Review is made after a Police Review is commenced but before the Police Review is decided, the Police Review must immediately cease.

The Court will determine the Court Review. Once a Court Review is filed, upon the required documents being provided by the Queensland Police Service to the Court, the Police Protection Direction will be **taken to be an Application for a Protection Order** by the Issuing Officer. The Court will then determine whether to make a Protection Order, and if so what conditions will be included in the Protection Order. The duration of a **PROTECTION ORDER MADE BY THE COURT** will be **FIVE YEARS** if no other period is stated by the Court in accordance with s 97 of the *Domestic and Family Violence Protection Act 2012*.



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Please note: A copy of this application will be provided to the aggrieved, respondent and may be given to any named person.

Part A: Applicant's details

Applicant involvement:

Aggrieved Authorised person for the aggrieved Respondent

Named person¹

¹ A named person may only seek a review to remove their name from the Police Protection Direction, or to change conditions in the direction that relates to the named person.

Family name

Given name(s)

Date of birth

Email for service (Leave blank if you don't want to disclose)

Phone (Leave blank if you don't want to disclose)

Residential address for service (Leave blank if you don't want to disclose)

Part B: Police Protection Direction details (subject to this application)

Have you attached a copy of the Police Protection Direction (PPD) with this application?

Yes ▶ Go to Part C.

Occurrence no.

Date issued

No ▶ Please give details of the PPD.

Details of the Issuing Officer (For example, name, rank, registration number and/or station.)

Family name of the aggrieved

Given name(s) of the aggrieved

Date of birth

Family name of the respondent

Given name(s) of the respondent

Date of birth

Part C: Court Review

Are you (the applicant) aware of any Application for Court Review in relation to this Police Protection Direction?

No or unsure ▶ Go to Part D.

Yes ▶ DO NOT continue this form.

Note: A Police Review cannot be commenced if an Application for Court Review has already been filed with the Court. If an Application for Court Review is filed with the Court after the Police Review has commenced but before it is decided, the Police Review must immediately be discontinued: s 100ZC(3).

Part D: Application timeframe

Is this an application made within the **prescribed period** namely **28 days** of the service of the grounds of the Police Protection Direction on the respondent?

Yes



Go to Part E.

No or unsure



Give reasons you are seeking an extension of the time to make an application for Police Review. If this application is not made within the prescribed period and/or no extension granted, and in the circumstances no Police Review will be conducted in accordance with s 100T, you will be advised.

Reasons

Part E: Indicate the outcome you seek and provide reasons (aggrieved or respondent only)

Note: The Reviewing Officer will **consider** your requested outcome, and may consider any other submissions or information received from you or others in the conduct of the Police Review. When **deciding** the outcome of the Police Review the Reviewing Officer must select from one of the following options. The decision made may be different from your requested outcome. Include why you say any of these options should not be selected by the Reviewing Officer.

What outcome are you (the applicant) seeking? (Please select one only).

Revoke the PPD and issue a new PPD with different conditions or different named persons (specify).

Revoke the PPD and issue a Police Protection Notice.

Revoke the PPD and make application to a Court for a Protection Order (DV01).

Confirm PPD (make no change).

Revoke the PPD and take other appropriate action not involving seeking a Protection Order (e.g. taking the respondent to a hospital to receive treatment).

Revoke the PPD and take no other a further action.

Reasons

If additional space is required, please use the "Additional information" page 4).

Part F: Indicate the outcome you seek and provide reasons (named person only)

What outcomes are you (as a named person) seeking? (Please select one only).

Changing condition(s) included on the PPD relating to the named person (me).

Removing the named person (me) from the PPD.

Reasons

If additional space is required, please use the "Additional information" page 4).

Part G: Additional information

Is there any additional information you would like to include for consideration in the Police Review?

- No ▶ Application complete.
- Yes ▶ Please provide additional information in the space below.



WARNING: Giving false or misleading information or document is an offence.

- I understand a copy of this application will be provided to the aggrieved, the respondent, and may be given to a named person;
- I understand that the Police Review **must** be decided only on the circumstances that **existed** when the Police Protection Direction was issued. However, the Reviewing Officer may take into consideration circumstances that existed, but were not known to the Issuing Officer at the time the Police Protection Direction was issued. This means anything that happened after the Police Protection Direction was issued **cannot** be considered in the Police Review;

- I understand that the making of an application for a Police Review of a Police Protection Direction **does NOT** change the need to comply with the Police Protection Direction. Contravening the Police Protection Direction is an offence. Maximum penalty is **3 years imprisonment** or a fine of 120 penalty units;
- I understand a decision on the Police Review will be made within 28 days of the Police Review commencing, unless the Police Review is or must be discontinued;
- I understand that if an application for a Court Review is filed or commenced during a Police Review, then the Police Review is or must be discontinued immediately.

(Insert full name of declarant.)

1. *Journal of the American Medical Association*, 2000; 283: 2689-2696.

At **QUEENSLAND** on _____
(Day) (Month) (Year)

The Queensland Police Service (QPS) is committed to handling your personal information in accordance with the *Information Privacy Act 2009* and the Queensland Privacy Principles (QPPs). The information you provide is being collected in accordance with the *Domestic and Family Violence Protection Act 2012* for the purposes of processing your application. If you do not provide the requested information we may not be able to fulfil this purpose. Your personal information will only be disclosed to another entity when required or authorised by law.

Information about how the QPS manages personal information and the privacy complaint process is contained in the QPP Privacy Policy (accessible at www.police.qld.gov.au). If you have questions about how your personal information will be handled contact the QPS Privacy Unit: privacy@police.qld.gov.au.

Office use only - member of QPS receiving application for Police Review

Please confirm the following

Ensure you **confirm the identity** of the person making the application (e.g. Driver Licence, 18+ card, passport or by other means).

Please obtain the applicant's safe address for service of documents, residential address, email and mobile phone number and update QPRIME.

Ensure the **occurrence number** for the Police Protection Direction is recorded in (Part B).

Confirm there is no record in QPRIME of any Application for **Court Review** for this PPD having been filed with Court.

Details of the member receiving this application

Rank/title

Family name (Of receiving QPS member.)

Given name(s) (Of receiving QPS member.)

Rego. no.

Police station/Establishment

Application for Police Review received date

<input type="text"/>	<input type="text"/>	<input type="text"/>
(Day)	(Month)	(Year)