

Domestic and Family Violence Protection Act 2012 **Powers of the Childrens Court**

- During child protection proceedings sometimes matters are raised that can provide a basis for making a protection order.
- There may also be cause to vary an existing domestic violence order to ensure that the terms of the domestic violence order are consistent with the terms of the order being proposed through child protection proceedings.
- Therefore, under the Act, the Childrens Court can make or vary a protection order against the parent of a child during the hearing of a child protection proceeding if:
 - the court is satisfied that there are grounds to make a protection order to protect the child from their parent.
 - the other parent, who would be named as the aggrieved in the protection order, is also a parent of the child and is party to the child protection proceedings.
- The Childrens Court can make or vary an order on its own initiative or on application by a party to the child protection proceedings. However, there are requirements that each party must be given a reasonable opportunity to give evidence and prepare and make submissions about the making or varying of the order.