

Filing and Serving of AVO Statements-Information for parties

Court ordered statements

If you have been ordered to file and serve statements, you must file and serve your statements on each party to the proceedings as set out in the 'timetable for statements' (provided by the court). If you do not serve by the date specified, the court may not accept your statements as evidence. Unless you obtain the Court's permission, there are no further opportunities to provide evidence for the hearing once the statements have been filed. Therefore, it is essential that all necessary evidence is included in your statements at the time of filing.

How to file your statements

Statements are to be filed in triplicate (3 copies) either in person or by post to the Local Court Registry where your case is being heard. Postal details for all Local Courts are located on the NSW Local Court website: localcourt.nsw.gov.au. **Note:** when filing by post you will need to ensure your statements are received by the registry by the date stated on the 'timetable for statements.'

Service of Defendants Evidence where NSW Police is Applicant

Where NSW Police is the applicant in the AVO, a copy of the defendants' statements can be placed with the Local Court Registry (where the hearing is listed), for collection by NSW Police.

The following information should be included on the first page of your statement the:

- Names of parties to the proceedings
- Date of the hearing
- Court file number

Your statement should include:

- Relevant information about the nature of your relationship with the other party
- Information about the incident(s)
- Your response to the statements filed by the other party

Include witness statements (written by other individuals) who have witnessed or heard something that supports your case; these individuals could include:

- People who directly observed the events relevant to the case and can provide a firsthand account of what occurred
- Individuals who can testify to your character, reputation, or behaviour relevant to the case
- Individuals who can corroborate or support the statement of other witnesses or provide additional information to strengthen your case

Supporting evidence can include:

- Medical records
- Police event details/report
- Photographs/maps
- Copies of emails, text messages or comments on social media (in printed form)

Is there a form for statements?

There is no specific form for a witness statement. When setting out your statement you should:

- Use a clear and logical order
- Use your own words
- Use A4 size (standard page size) white paper (use one side only)
- A typed document is preferred, however if that is not available, use neat, clear handwriting

Signature required

The statement must be signed and dated by the person who wrote the statement.

Further information on your case

For any court related questions telephone the Courts Service Centre between 8:30am – 4:30pm weekdays on **1300 679 272**.

STATEMENT OF _____

(For use in Apprehended Violence Order proceedings)

COURT DETAILS

Local Court Location

Case number

Future Listing date

TITLE OF PROCEEDINGS

Applicant

Person in need of protection

Defendant

I (name) _____, of (Address) _____, (DOB) _____,

state the following to be true and correct (add pages if required):

SIGNATURE

Signature

Role (i.e. Defendant/witness etc..)

Date of signature

Note: Please ensure pages are numbered, and signature is on the bottom of any additional page added to this statement.

Court use only

- ☐ Statements added to JusticeLink by: _____ on (date): _____
- ☐ Unrepresented applicant; copy of statement provided by the following means: _____ on(date): _____
- ☐ Unrepresented defendant; copy of statement provided by the following means: _____ on(date): _____