

# Applications for a protection order by an approved organisation

**A new service has been developed to enable the National Collective of Independent Women's Refuges (NCIWR) to apply for a protection order on behalf of a person who is unable to apply personally.**

## Background

The Secretary for Justice has approved NCIWR to make applications for a protection order under section 69 of the Family Violence Act 2018 (the Act).

An application can be made by NCIWR on behalf of someone unable to apply personally.

The service is intended to add an extra layer of protection, as NCIWR will be able to provide ongoing safety support for the client during the protection order application process.

The existing processes continue to apply for people applying on behalf of a child (section 62), or a person lacking capacity (section 67). NCIWR will not be making these applications.

There are specific criteria that the client needs to meet in order to progress the application as most clients are able to apply for a protection order in their own right.

## Who can access the service?

The service is limited to people who are prevented from applying for a protection order because of:

- physical incapacity
- fear of harm; or
- another sufficient cause from making the application personally.

## What will happen when NCIWR receives a referral?

If an agency refers a client for this service, NCIWR will work with the client to fully determine eligibility and keep the client and the referring agency informed throughout the entire process.

If NCIWR determine the client is eligible, NCIWR will complete the application process and support the client through any court proceedings with help from a legal service.

NCIWR and the legal service will also assist the client with the legal aid application.

NCIWR will assess the safety of the client, their children (if any), and other family/whānau members and put in place appropriate support and safety measures.

## The final decision on granting a protection order rests with the Courts.

## Contact

If you have any questions about client eligibility, contact the NCIWR co-ordinator on 04 802 5078, or email [TPPOCoordinator@refuge.org.nz](mailto:TPPOCoordinator@refuge.org.nz).

If you have any questions about the service, contact the Ministry of Justice by emailing:

[pcsrequests@justice.govt.nz](mailto:pcsrequests@justice.govt.nz)