



Revoking AVOs

An Apprehended Violence Order (AVO) is a Court enforced order that places restrictions on a person's behaviour, who someone can contact, places they can go, as well as anything else that the Court thinks necessary. Those restrictions are only in place for as long as the AVO remains in force, which is usually for about one or two years if there are no further complaints or incidences.

Until very recently, anyone who was subject to an AVO lost the right to a gun licence for 10 years.

Due to amendments to the Crimes (Domestic and Personal Violence) Act 2007 (NSW), it is now possible for an AVO to be revoked even though the AVO has expired. This can assist those people who need a firearms licence for their livelihood (such as farmers to assist with vermin and livestock control), who are subject to firearms restrictions because of AVOs that may have expired years ago.

The new legislation allows a person the subject of an AVO (even one that has expired) a means of seeking to have the AVO revoked where they can show that there is no longer a need for the AVO. In turn, that can remove the firearms restriction and open up the way for them to obtain a firearms licence.

Those people who are described as a "protected person" in the AVO need not worry that the AVO will be revoked without their knowledge. In any Application brought before the Court to revoke the AVO, the protected person must be served with a copy of the Application, even when the AVO has expired. If the protected person has any ongoing concerns for their safety and/or opposes the Application to revoke the AVO, the Court will hear all evidence to determine whether the AVO should be revoked.

If you have any queries in relation to Apprehended Violence Orders, at Everingham Solomons we have the experience and expertise to assist you, because *Helping You is Our Business*.



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