# Family Violence worksheet – Affected family members (Guideline 8.1a)

*Refer to* [*guideline 8.1a - affected family members in police applications*](https://www.handbook.vla.vic.gov.au/guideline-8-family-violence-intervention-order-cases#81a-%E2%80%93-affected-family-members-in-police-applications)*, and the* [*notes on guideline 8.1a*](https://www.handbook.vla.vic.gov.au/notes-guideline-81a-affected-family-members-police-applications) *in Victoria Legal Aid’s (VLA) Handbook for Lawyers. .*

**Client Name:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**VLA Ref No:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*Under Guideline 8.1a, VLA may make a grant of legal assistance to an affected family member in an application brought by Victoria Police, where:*

## Criterion A

[ ]  the AFM is aged 18 years or older

**AND**

## Criterion B

[ ]  the matter is listed for a directions hearing

**AND**

## Criterion C

[ ]  a full no-contact interim[[1]](#footnote-2) order is in force

**AND**

## Criterion D

[ ]  the AFM disagrees with conditions prohibiting the Respondent from contacting and/or communicating with them

**AND**

## Criterion E

[ ]  the police applicant seeks to maintain full no-contact interim orders conditions until the contested hearing.

**AND**

## Criterion F

### State Reasonableness Test

 The following requirements under the [State Reasonableness Test](https://www.handbook.vla.vic.gov.au/state-reasonableness-test) must be satisfied:

1. Consideration of the nature and extent of any benefit of a grant of legal assistance (measured against likely cost of case) and detriment from a refusal to grant legal assistance. Is there a sufficient cost benefit?

[ ]  YES – proceed to ii.

[ ]  NO – recommend refusal of aid

1. The proceeding is likely to finalise in a manner favourable to the adult AFM applying for the grant of legal assistance:

[ ]  YES – recommend aid.

[ ]  NO – recommend refusal of aid

### Briefly detail how Criterion F is satisfied

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Documentary evidence must also be retained. Refer to [documentary requirements](#_Documentary_requirements).

### Documentary requirements

Simplified grants assessments process

Lawyers seeking a grant of legal assistance via the simplified grants assessment process should submit an application via ATLAS, only after ensuring that all the following documents are retained on file:

* a reference to how Guideline 8.1a is satisfied. The use of this guideline worksheet is encouraged.
* a copy of the application for a family violence intervention order including the complaint, and interim order
* relevant proof of means.
* documentary proof of any [State special circumstances](https://www.handbook.vla.vic.gov.au/15-special-circumstances).
1. Full no-contact conditions means the Respondent is prohibited from contacting and communicating, and/or approaching or remaining within a certain distance of the affected family member, or their home, work or educational facility [↑](#footnote-ref-2)