

H&H
Lawyers

24 May 2021

2021 Seminar

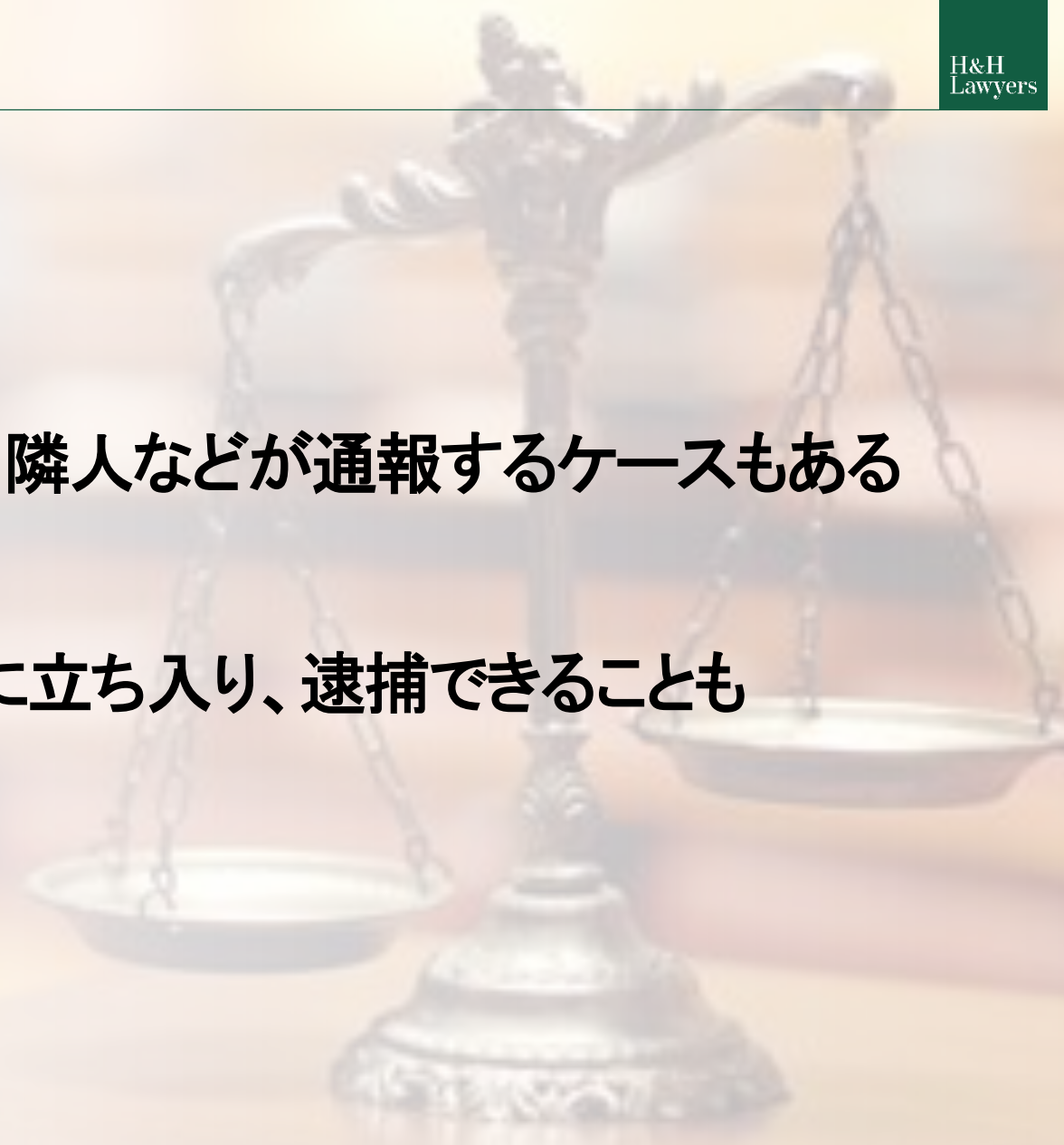
「ドメスティックバイオレンス」 雇用者へ及ぼす影響とリスク、 その対応



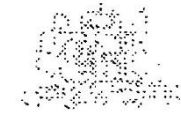
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- 隣人などが通報するケースもある**
- に立ち入り、逮捕できることも**

PROVISIONAL ORDER
Apprehended domestic
violence order [REDACTED]



Crimes (Domestic and Personal Violence) Act 2007

[REDACTED] you must follow the orders below. It is a criminal offence not to follow these orders. You could be arrested by police and charged. If you are convicted, you could go to prison for up to 2 years and be fined up to \$5,500.

You could also be charged with other criminal offences. If you are convicted of these offences, you could receive a much higher penalty.

You must follow these orders everywhere in Australia.

You must follow these Order(s) until it is revoked or a further order made by the Court becomes effective.

The Order(s) have been made to protect [REDACTED]

You must follow these orders even if [REDACTED] doesn't want you to or tells you that you don't need to. If you attempt to do any of the things below, it will still be a criminal offence called a breach.

You must attend **Downing Centre Local Court (Downing Centre 143 LIVERPOOL STREET SYDNEY NSW 2000) on Wednesday, [REDACTED] at 09:30 AM**

If you fail to attend the court may make orders against you or issue a warrant for your arrest to bring you before the court.

Orders about behaviour

- ☒ 1. You must not do any of the following to [REDACTED] or anyone he has a domestic relationship with:
- A) assault or threaten him,
 - B) stalk, harass or intimidate him, and
 - C) intentionally or recklessly destroy or damage any property that belongs to or is in the possession of [REDACTED]

オーストラリアでは通常、起訴は警察官がおこなう。被害者の主張に加害者の犯罪行為が十分に疑われれば、加害者は警察に逮捕・事情聴取される。

その後、一般的に、無罪が主張できる明確な根拠が警察により確認できなければ、加害者は起訴されてしまう。

6. DVから派生しうる雇用法上の問題

- ADVOの発行や、DVに関する逮捕や前科を理由としての懲罰
- 前科を理由としての差別

□ 法律上の定義

- 「加害者が被害者に対して繰り返し取られる不当な行動で、且つ、健康上・安全上のリスクとなりうる行動」

□ 雇用者としての対処

□ 更に問題が発展する場合

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専門家との相談が必要な場合は
H & H Lawyersにご連絡ください。

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