

Further Details of Allegations

Information for Applicants/AFMs

You have received this information sheet as a Magistrate has ordered that you submit a document known as **Further Details of Allegations** or “**FDA**” (formerly known as ‘Further and Better Particulars’). This guide has been prepared to help you prepare your FDA. It is a good idea to get legal advice about your matter before Court.

Further Details of Allegations

When you apply for an **Intervention Order** (“**IVO**”), the Court needs to know why you need protection. When your IVO application was first made, either you or the police prepared a short summary about the family violence you have experienced. FDA are similar, but contain more detail and the evidence of your allegations. Your FDA should include your allegations, any evidence you have, and a list of any witnesses you intend to call at a hearing. The FDA can then be considered by all parties to try and resolve the matter at the Directions Hearing.

Requirements of FDA

- The summary of allegations must be no longer than **4 pages** – this does not include your supporting evidence.
- You must include the time, date, place and who was present at each incident, as accurately as possible.
- Evidence included with your FDAs must be labelled, such as “Attachment 1”.

Example paragraph

*14. On 01 January 2025 at 3:00 PM, the Respondent sent me a text message calling me a “bitch”.
See Attachment 1.*

Tips for preparing your FDA

- Include a detailed summary of each incident you can recall.
- Outline each incident in a separate paragraph and ensure each paragraph is numbered.
- List the incidents in the order they occurred.
- Evidence might include photos, videos, text messages, emails, police reports, medical reports or evidence from support services.
- Remember that family violence includes physical, verbal, sexual, emotional or psychological or financial abuse, as well as coercive or controlling behaviour, and exposing children to family violence.
- You can redact or ‘black out’ any personal details that you don’t want the other party to see, like your address or where you work.
- Include the case number, which can be found on your IVO or you can ask the Court.

- Use plain, simple language. You do not need to try and sound like a lawyer.
- The Registry is not able to redact or amend your FDA. It is your responsibility to redact any information you do not want disclosed to the other party.

Submitting your FDA

When the Court makes an order for you to file FDAs, they will have given you a due date. You must have them submitted by that date. You cannot just bring them to Court on the next date. If you are unsure, you can check with the Court.

When you have finished your FDA, you can provide your FDA and evidence to the Court by:

- 1) Emailing a PDF copy to the Registry **or**
- 2) Providing them in person over the counter.
- 3) If your FDA contains audio or video evidence, you must put them on 2 identical USBs and provide them to the Court Registry alongside your written submissions.

Response to FDA

Sometimes, the Respondent will be ordered to file a response to your FDA by a certain date. If so, from the day after they are due, you can request a copy of the response by emailing the Court Registry or attending in person.

What if I do not submit my FDA in time?

If you do not submit your FDA on time, then the Court may:

- Make a decision without considering your evidence.
- Make a decision only looking at previous evidence or the original application.
- Dismiss your application.
- Adjourn the hearing, which may include an order for you to pay some of the other party's legal fees.

Legal Advice

If you wish to get assistance with your application, you can seek legal advice from your local community legal centre, Victoria Legal Aid, or a private lawyer.

You can also request assistance from a duty lawyer. A duty lawyer is a free lawyer who will help you on the day at Court. They will usually not be able to prepare your FDAs for you or appear on your behalf at the final hearing. To request help from the duty lawyer, contact the Court Registry or submit a form via the Magistrates' Court of Victoria Website: 'Pre-Court Information Form - Applicant and Affected Family Member'.

It is recommended that you make such request as soon as practicable to avoid missing out on assistance.