



What is a Peace and Good Behaviour Order (Qld)?

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If you believe you are being harassed, and the offending conduct is causing you to fear for your safety, you may be able to make an application for a peace and good behaviour order (**PGBO**) against the person harassing you.

How do I apply for a peace and good behaviour order?

Applications for a PGBO can be made under the *Peace and Good Behaviour Act 1982* (Qld) in your local Magistrates Court. For your application to succeed you would need to be able to prove to the Court that you are in fear of the person that you are complaining about and that that person has threatened to:

- assault or cause bodily injury to you or to any person under your care or charge; or
- procure any other person to assault or cause bodily injury to you or to any person under your care or charge; or
- destroy or damage your property; or
- procure any other person to destroy or damage your property.

Alternatively, you may make an application if you can prove that you have been subjected to intentional conduct by a person which has caused you to fear that they will damage your property.

Unlike a complaint about unlawful stalking, which is a criminal matter that is prosecuted by the police, the making of a PGBO application is a civil process that must be initiated by you. The person that is the subject of the application will have an opportunity to respond and you do not need the assistance of a police officer to make an application.

There are a number of steps involved in the process of obtaining a PGBO, including the:

- making of an initial complaint;

- issuing of summons;
- filing and service of affidavit evidence; and
- conduct of a hearing before the Magistrates Court.

What is the penalty for breaching a peace and good behaviour order?

A PGBO will require the person the subject of the order to be of good behaviour to the complainant (you). It can include other orders as the Court sees fit, for example, an order that there be no contact between the parties.

Once an order is in place, the breaching of that order is a criminal offence which is punishable by imprisonment for up to one year.

[Hall Payne Lawyers' dedicated criminal lawyers](#) are able to assist you with making an application for a peace and good behaviour order. If you believe you need assistance with making an application, or if you have any questions about your personal circumstances, you should [contact our team to arrange an initial consultation](#) straight away.

Legal advice and assistance continues during COVID-19

We continue to provide our client services during the coronavirus outbreak.

Most of our teams have now returned to their respective offices with others remaining fully equipped to work remotely, where necessary.

You can contact us by phone or email to arrange your consultation; either face-to-face at one of our offices, by telephone or by videoconference consultation.

Phone: 1800 659 114

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