

A photograph of a man with short dark hair hugging a young boy from behind. The boy has his eyes closed and a slight smile. The man is looking down at the boy. The background is a blurred indoor setting, possibly a kitchen or dining area.

A Practical Guide for Fathers Where an Intervention Order Is Preventing Contact With Your Children



FIERCELY HUMAN. FEARLESSLY STRATEGIC. LAW DONE DIFFERENTLY.



If you are reading this, you are likely in a situation you never expected to be in, where an Intervention Order is preventing you from seeing your children. It can feel confusing, unfair, and overwhelming, especially when everything moves quickly and the stakes are so high.

This guide is here to give you clarity on what this means, what your options are, and what steps you can take next.

You do not need to have all the answers right now, but you do need to approach this carefully and strategically.



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FOUNDER AND PRINCIPAL LAWYER

15+ YEARS
EXPERIENCE IN FAMILY LAW

WHAT WE CAN DO FOR YOU

- Provide urgent advice in the first 24 to 72 hours
- Develop a clear strategy to regain time with your children
- Guide you through compliance to avoid breaches
- Communicate with the other party or their lawyers on your behalf
- Represent you in negotiations, mediation, or Court proceedings
- Protect your position and prevent a damaging status quo from forming



→ “She Took Out an IVO. Now I Can’t See My Kids.”

It happens fast.

One argument. One incident.

Then suddenly:

- An Intervention Order is taken out against you
- You are removed from your home
- You are told not to come back
- You are not seeing your children

No warning. No plan. No contact.

→ This Is Where Things Go Wrong

Most fathers think, “*I will just give it some time.*”

But what actually happens:

- You stop seeing your children
- A new routine is created without you
- Your absence becomes normal
- You are painted as the problem

And the longer it goes on, the harder it is to come back from.

→ **The Truth No One Tells You**

An Intervention Order does not automatically determine parenting arrangements.

But if you do nothing:

- It will control the situation
- It will limit your time
- It will shape the narrative against you

Doing nothing is the worst move you can make.

→ **Why This Situation Is Critical Early**

What you do now matters.

If you have no time with your children for a period of time, a new status quo can form. The Court often prefers stability.

Delays can work against you.

→ **Understanding What an Intervention Order Does**

An Intervention Order is designed to protect a person from harm.

It may include conditions such as:

- no contact with the other parent
- restrictions on attending certain locations
- conditions that impact your ability to see your children



Important:

An Intervention Order is not a Parenting Order.

It does not determine long-term parenting arrangements, but it can immediately stop or restrict your time with your children.

→ Compliance Is Critical

Even if you disagree with the Intervention Order, you must comply with it.

An Intervention Order is a **civil order**, but breaching it is a **criminal offence**.

That means:

- Even a minor or accidental breach can result in charges
- A breach can impact your parenting case
- Repeated breaches can lead to serious consequences, including jail

There is no harmless breach.

→ Hard Truths You Need to Understand

- If there is a no-contact condition, you cannot reply, even if she contacts you first
- If she calls you and you answer, that can be a breach
- If you send a message "*just about the kids*", that can be a breach
- If you attend somewhere you are restricted from, even briefly, that is a breach

The Court will not accept:

"But she contacted me first"

"I was just trying to be a good dad"

Real Example

One father sent a simple photo of the dinner he had prepared for his children.

He was charged with breaching the Order.



The Rule

If the Order says no contact, it means no contact. Full stop.

FIRST 72 HOURS AFTER AN INTERVENTION ORDER (CRITICAL CHECKLIST)

This is the most important window.
What you do here can shape your entire case.

IMMEDIATELY

- Read the Order carefully, every condition matters
 - Do not contact the other party under any circumstances
 - Do not attend restricted locations
 - Save a copy of the Order on your phone
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WITHIN 24 HOURS

- Get legal advice
 - Stop all informal communication
 - Identify any risk of accidental breach
 - Inform trusted family or support people of the conditions
-

WITHIN 48 HOURS

- Start documenting everything
 - Write a clear timeline of events
 - Preserve all messages and evidence
 - Do not delete anything
-

WITHIN 72 HOURS

- Get advice about parenting arrangements
- Consider next steps (mediation or Court)
- Develop a strategy
- Focus on compliance and presentation



GOLDEN RULE

Do not react. Respond strategically.

COMMUNICATION SCRIPT PACK (FOR FATHERS)

Use these. Do not freestyle.



WHEN YOU NEED TO INITIATE A PROCESS

"I am seeking legal advice regarding appropriate arrangements for the children and am willing to engage in a structured process to resolve parenting matters."



WHEN YOU ARE ASKED TO AGREE TO SOMETHING QUICKLY

"I will obtain advice and respond once I have had the opportunity to properly consider the proposal."



WHEN YOU WANT TO SHOW YOU ARE CHILD-FOCUSED

"My focus is ensuring arrangements that are in the children's best interests and provide stability for them."



WHEN COMMUNICATION IS LIMITED OR RISKY

"I will communicate through appropriate legal channels to ensure compliance with the current Order."



WHEN YOU FEEL PROVOKED

Do not respond immediately.

Wait. Reset. Then:

"I will respond through the appropriate channels."



WHAT NOT TO SAY (EVER)

- "This is all lies"
- "You are keeping my kids from me"
- "I will take this further"
- Anything emotional, aggressive, or reactive



THE RULE:

EVERYTHING YOU SAY CAN AND WILL BE USED AS EVIDENCE.

→ Common Mistakes Fathers Make

- Breaching the Order
- Reacting emotionally
- Delaying action
- Trying to negotiate directly
- Thinking it will resolve itself

→ Pathways Forward

- Mediation
- Negotiation through lawyers
- Court applications
- interim arrangements

This is not the end. But it is a critical moment. What you do now will shape your case.

Stay calm. Stay strategic. Stay in control.



⚠ Important Disclaimer

This guide provides general information only and is not legal advice. Every situation is different. You should obtain advice specific to your circumstances.

Need Advice Specific to Your Situation?

Melmark Law provides strategic advice for parents navigating Intervention Orders and complex parenting matters.

**Book a confidential consultation today.
Ring (03) 9098 8749.**



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