

Domestic Violence & Abuse, Protecting Your Safety

Domestic violence occurs through all sectors of society. Domestic violence is not just actual violence and intimidation, but covers verbal abuse and criticism, harassment, sexual violence, isolation and controlling what you do and where you go.

It occurs between adults who have had a relationship and also other family members.

You have a right to live free from fear. You can call the Police as the behaviour that you are suffering may in fact be a criminal offence. If the Police press charges, often bail conditions can be set to protect you from further violence.

If you are or have been in this situation, we can advise you as to the best way of dealing with things. The law provides a number of ways of protecting people from all types of domestic abuse.

We can help you obtain an Injunction. We will prepare the application for you together with a statement. If it is an emergency, we may be able to go before a Judge the same day in the absence of the other party. The Court would then schedule a further hearing to give the other party an opportunity to present their case. An agreement could occur if the other party consents to an Order being made.

Different Types of Protection

Domestic Violence Protection Orders (DVPOs) are Orders applied for by the Police and made by the Magistrates' Court to provide protection to victims in the immediate aftermath of a domestic violence incident. With DVPOs, an abuser can be banned with immediate effect from returning to a residence and from having contact with the victim for up to 28 days, allowing the victim time to consider their options and get the support they need.

A Non-Molestation Order prohibits the abuser from using violence, threatening you, or harassing you, or instructing anyone else to do so. The Orders can also be made to protect the children.

In some instances, you can apply for an Occupation Order. This regulates the occupation of the home for a period of time to enable financial matters to be resolved while providing you with peaceful enjoyment of your home free from abuse. In some cases, an exclusion zone is created, preventing the abuser from coming within a set area of your home.

Additionally, the Court has the power to order the other party to pay the rent or mortgage on the property.

If there is an emergency, clearly you should call 999 for either Police or ambulance.

For a referral to temporary accommodation, contact the free 24 hour National Domestic Helpline on 0808 2000 247 or their website: www.nationaldahelpline.org.uk

Please contact us if you need any advice on domestic violence or any other family law related issue.