

Legal Action

DVPN

A Domestic Violence Protection Notice (DVPN) is an emergency non-molestation and eviction notice which can be issued by the police to a perpetrator when attending a domestic abuse incident. It is effective from the time of issue, and gives the victim the immediate support they require. Within 48 hours of the DVPN being served on the perpetrator, an application by police to a magistrates' court for a DVPO must be heard.

Domestic Violence Protection Orders

If the police have a reasonable belief that domestic abuse has occurred they may be able to obtain a Domestic Violence Protection Order (DVPO) from a magistrate. A DVPO can last between 14 and 28 days. It may stop the perpetrator from entering or being within a certain distance of the home of the person at risk, stop the perpetrator from making the person at risk leave their home, or require the perpetrator to leave the home of the person at risk, even if it is their home too. The law allows DVPOs to be made even if the victim does not agree with it.

The police can arrest anyone who breaches the DVPO. The penalty for a breach can be a fine or imprisonment. Use of DVPOs can give time to the person who has been abused to reflect and make decisions about their future, or give them the opportunity to access health and care support.

Restraining Orders

Restraining orders can be made by a court in relation to a criminal case alleging domestic abuse, whether or not the case is upheld. A restraining order is made when there is a need for the order to protect a named person or persons from harassment or conduct that will put them in fear of violence. It may cover a range of behaviour.

Civil Law

A person at risk of domestic abuse can make an application for a non-molestation order, often known as an injunction in the Family Proceedings Court, the County Court, or the High Court, with or without representation from a solicitor. This prevents the abuser from certain behaviour (such as contacting the victim) or compels them to action (such as not attending the address). A breach of a non-molestation order is a criminal offence.