

**FAMILY LAW - DOMESTIC ABUSE**  
**You Have Options - We Can Help!**



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# **Domestic Abuse - There Are Options Available to You, and We Are Here to Assist**

Many people consider “domestic violence” to be actual physical violence against a person or an imminent threat of physical violence. As a result many people remain in unhappy relationships, tolerating unacceptable behaviour, including controlling and abusive behaviour, forced isolation from family and friends and critical and belittling behaviour because they feel there is nothing they can do about it. This is not actually the case and domestic violence can be deemed to exist in many different ways within a marriage or relationship.

The Family Team at Parfitt Creswell not only deal with all matters relating to the breakdown of a relationship or marriage but also offer specialist advice and assistance for people who are suffering from domestic violence and abuse.

**If you are experiencing domestic abuse and require legal assistance we are here to help.**



**We offer complimentary, no-obligation initial consultations giving you the opportunity to speak with one of our legal experts in order to find out where you stand.**

**To arrange your FREE consultation call us today on 0800 999 4437  
Alternatively you can email [enquiries@parfittcreswell.com](mailto:enquiries@parfittcreswell.com)**

# Domestic Abuse - The Options Available to You:

## What can the Court do?

The Court have a range of orders including:

- An order forbidding a party from behaving in a particular manner towards another party
- An order regulating the use of a family home
- An order removing a party from their home for a period of time
- Orders excluding a party from entering or attempting to enter a party's home

## What is an injunction?

An injunction is simply a court order preventing a named person from doing something. In the context of family and intimate relationships, we call such an order a Non-Molestation order.

## Who can apply?

To be able to apply, the other party must be what the law calls an "associated person".

To be associated you must be:

- Married or civil partners or were at one time

- Cohabiting or were cohabiting
- Living in the same household but not as an employee, tenant, lodger or boarder
- Relatives
- Engaged or was so at one time
- Are parents of a child together
- Had a significant intimate relationship
- Are parties to the same family proceedings

## How long does it take?

In some circumstances you can get a non-molestation order without giving notice to the other party

This is called an "ex parte" order. Cases proceedings on notice can be listed for hearing within 2 weeks of application.

## What do I need to do?

You need to prepare and send to the court an application with a summary statement as to why you need the order. The court will issue the proceedings and the other party will need to be personally served with the proceedings and a date for the court hearing. You will need to

attend Court on the date of the hearing.

You can seek assistance from a solicitor who can prepare the necessary documents and attend Court with you.

## How much does it cost?

You can seek assistance from a solicitor who can prepare the necessary documents and attend Court with you.

## What if the party to the order ignores it?

All injunction orders have a "power of arrest" attached to it. This means that if the order is breached by the party the order is against you can call the police and they will arrest that party and bring them before a court as soon as practicably possible.

## If satisfied that the order has been breached a court can:

- apply an immediate prison sentence
- apply a suspended prison sentence
- apply a fine
- apply a Community Service order

Call us today on  
**0800 999 4437** to arrange  
your complimentary, no-  
obligation, initial  
consultation.

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