

## **Domestic Violence Information Sheet**

### **What sort of orders can the Court make?**

If you are the victim of domestic violence from your partner then the Courts have widespread powers to protect you and your children. This can include orders that your partner is not to assault and harass you or the children and that in some circumstances he (or she) is to quit your home for up to 6 months.

### **What happens if he (or she) simply ignores the order?**

The Court has powers to fine or imprison to ensure that the orders are taken seriously. In most cases where there has been domestic violence the Court will grant a power of arrest as part of the order. This means that if the order is ignored then your partner or person against whom you have the order can be arrested straight away by the police and brought before a Court.

### **I am not married to my partner, can I still seek an order excluding him (or her) from the house?**

Yes. The Courts can exclude a wide range of people from your house if there is domestic violence. The list includes your husband or wife, people who you live or have lived with, relatives (including those of your partner), anyone you have agreed to marry and the father or mother of your child. Even if the person you are seeking an order against is not one of these people, the Court still may have the means to protect you.

### **How do I go about applying for an order?**

Your solicitor can advise you on this. You will be required to make a formal statement about the violence for the Judge to read. This will be drafted by your solicitor from the information that you provide to him or her. You may also have to give evidence at a hearing although this is not always the case. Most of the hearings take place "in chambers" which means that the public are not allowed to go there.

### **How quickly can I get an order?**

In cases of extreme violence you can apply for an order straight away without the person you are seeking the order against even knowing about it. There will then be another hearing at a later date when the other side will be present and the Court will consider whether the Order should continue. In less serious cases, you should still be able to get a Court hearing within a matter of days. Ask your solicitor for more information.

### **Can I get legal aid?**

Yes, if your case is serious enough and you qualify financially for it. In emergencies this can be granted the same day over the 'phone. Otherwise we will give you an overall estimate about legal costs. We consider that our rates are competitive within the Aylesbury area and if need be can be flexible about payment terms. You can rest assured that all cases will be dealt with by or under the supervision of an [Advanced Member of the Law Society Family Panel](#).

**For information on how Wilkins Solicitors can help you to protect yourself against domestic violence contact us as detailed below.**

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