

## WHAT IS DOMESTIC VIOLENCE ?

- ‡ physical abuse
- ‡ sexual abuse
- ‡ emotional, verbal and psychological abuse
- ‡ economic abuse
- ‡ harassment
- ‡ stalking
- ‡ damage to property
- ‡ entering the home without the victim's permission
- ‡ any other abusive, controlling behaviour

*If these forms of abuse are happening to you, then you can apply to the court for a protection order.*

## WHO DOES THE ACT PROTECT?

- ‡ married, divorced or separated couples
- ‡ couples living together (including gay or lesbian couples)
- ‡ parents of a child
- ‡ family members (including the extended family)
- ‡ people who are engaged or dating one another
- ‡ children

## HOW DO YOU GET A PROTECTION ORDER?

### STEP 1: GO TO THE COURT WHERE

- ‡ you live, work, or own a business
- ‡ the abuser lives, works or owns' a business
- ‡ where the abuse occurred

### When

- ‡ during ordinary court hours
- ‡ after hours and over week-ends during emergencies
- ‡ Fill out an application form for the protection order. You can do this yourself or you can bring a legal representative to help you.
- ‡ The clerk will take your application to the magistrate
- ‡ The magistrate will prepare a notice to the abuser telling him or her

about the protection order. The abuser will be held to come to court on a particular day for a hearing.

- ‡ This notice is delivered (or served) to the abuser by the sheriff, the police or the court clerk.

*If you can't pay the service fees, tell the court. The State must provide financial assistance to you.*

**If you need immediate protection Ask the court for an interim protection order. This order will give you emergency protection until the hearing.**

### STEP 2: THE HEARING

- ‡ If the abuser doesn't appear in Court on the day of the hearing, the protection order is granted.
- ‡ If he does not appear, the court hears evidence from both you and the abuser. Witnesses can also be called.
- ‡ When the magistrate has heard All the evidence or not to issue a protection order.
- ‡ If the protection order is granted, a copy is served on the abuser.
- ‡ You will also receive a copy of The protection order and a suspended warrant for the abuser's arrest.
- ‡ A copy of the order is also sent to police station of your choice.

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