

National Centre for Domestic Violence



**Dealing with a victim of domestic abuse?
Let NCDV be your back up and their safety net**

Obtaining a civil protective order soon after an incident increases the chances of that person breaking free from the perpetrator.

NCDV offer a fast, free and effective legal route to a civil protective order regardless of the victim's gender, ethnicity, sexuality or legal aid eligibility.

We can have an order in place whilst the victim is considering or waiting for engagement with local services. This is a small but vital area of need in the complexity of domestic abuse and creates safety for the victim and other services to move forward.

The civil protective orders we can obtain

Non-molestation Orders - Prohibits the perpetrator from contacting the victim or going near their property for approximately a year.

Occupation Orders – If living together an occupation order enables the victim to remain in the family home for 6 months and removes the perpetrator from it.

Prohibitive Steps Orders – Ensures the perpetrator cannot remove the children if there has been a threat or attempt to take them from the victim's care.

Domestic Abuse Protection Orders (in Current Pilot areas) – like a non-molestation order but can include additional measures i.e. tagging, attendance to behaviour change programmes, etc. Pilot areas are Greater Manchester, Cleveland, 3 London Boroughs, North Wales and BTP.

Please note Occupation & Prohibitive Steps Orders are additional orders to non-mols & DAPO's

Eligibility

For a non-molestation order

1. The victim and perpetrator have to be 'associated persons' - meaning having been in an intimate relationship of a significant duration (judges usually use a guideline of over 3 months, however this is not set in stone and is flexible on a case by case basis) OR be a direct family member (son, daughter, parent, sibling, grand parent, uncle, aunt and in-laws) OR have or have had parental rights/responsibility for the same child or children.
2. The incident/something must have happened in the last 8 weeks.

3. A non-mol cannot be obtained if it is the first incident and there has been no previous abusive behaviour of any kind from the perpetrator.
4. Re bail conditions, it is unlikely to get the non-molestation order straight away if police bail conditions are in place (unless they have been breached or dropped). What we will do is give that person a ring a couple of weeks before bail ends, get them into court and the order granted to start when bail ends. We also give that person our details so they can call back if bail is breached (after reporting to police) so we can then get the order straight away or they can call if bail has been brought forward.

For a DAPO in a pilot area

Same as above but there are no time restrictions on when the incident happened. A DAPO can be obtained if it is the first incident of abuse. There are no time restrictions on the duration of the intimate relationship. The victim has to be over 16 and the offender over 18.

How to make a referral to NCDV

It's quick and easy all we need is the person's name, their contact number and consent for us to call.



Use our **NCDV app** - free to download at any app store

Complete the form on our **website** www.ncdv.org.uk

Call our **freephone number 0800 970 2070**

Text NCDV to **60777** or Email office@ncdv.org.uk

Why refer to NCDV

- We are a not-for-profit CIC (Community Interest Company) that exists solely to help victims of domestic abuse.
- We currently obtain 30% of all the non-molestation and occupation orders granted in England and Wales.
- Not eligible for Legal Aid? We have the biggest pro bono team in the country.
- We have been around since 2002.
- We signpost the victim to other relevant services who can offer additional support.
- Orders are logged with the local police force and area also accessible 24/7 for police officers via our ASSSIT database.

Order free publicity materials via our website

Free 1hr training. Increase your understanding of civil protection orders. To book individually or as a team visit www.ncdv.org.uk and click the **Training** tab.