

You will be required to appear before the magistrates' court, and it is likely that the hearing and decision will be made on the same day. If you do not attend the magistrates' court, then a DVPO can be made in your absence.

If the hearing is adjourned, the DVPN served by the police will continue to be effective until the application for the DVPO can be dealt with by the court. At the court hearing, the police will give their evidence and you will have an opportunity to challenge it and give evidence yourself. The court will consider all of the evidence and decide whether to make a DVPO.

## What happens if I breach a DVPO?

If you breach a DVPO, you may be arrested, kept in custody and placed before a magistrates' court within 24 hours of your arrest. You could be fined up to £5,000 and/or sent to prison for up to two months.

## Do I need a lawyer?

If you are in police custody for breach of a DVPN or DVPO then you will have access to free legal advice and assistance. If you are eligible, legal aid may also be available.

If you want to be represented at your court hearing, you are advised to seek legal advice and assistance at the earliest opportunity. If you are eligible, legal aid may be available.

## Contact details of available advice and support services

If you want to change your behaviour, understand your behaviour, understand how it affects your family, or stop your behaviour, then see contact details for support agencies on reverse of this leaflet.

## Where can you find more information and help?

### Respect - Are you hurting the one you love?

[www.respect.uk.net](http://www.respect.uk.net)

### Respect - Domestic Violence Perpetrators

Working with the cause of the problem. Information and advice to people who are abusive towards their partners  
0808 802 4040

[www.respectphoneline.org.uk](http://www.respectphoneline.org.uk)

### Alcoholics Anonymous

0800 9177 650

[www.alcoholics-anonymous.org.uk](http://www.alcoholics-anonymous.org.uk)

### National Drugs Helpline

0300 123 6600

SMS: 82111

[www.talktofrank.com](http://www.talktofrank.com)

### Samaritans

0808 800 4444

[www.samaritans.org](http://www.samaritans.org)

### Shelter

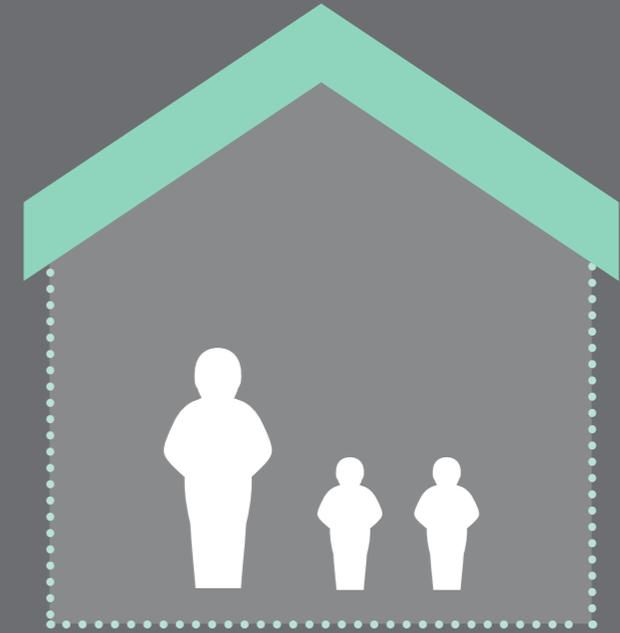
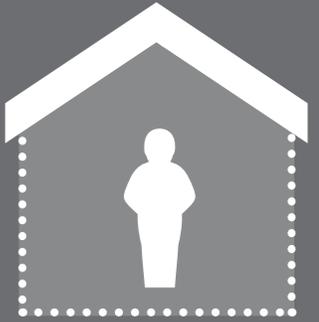
[www.shelter.org.uk](http://www.shelter.org.uk)

### Link-Up Worcester - Single Homeless Access Centre

01905 739395 / 0844 346 0014

### St Pauls Hostel (Worcester)

01905 723729



#spacetobreathe

Information when you have been served a Domestic Violence Protection Notice/Order (DVPN/O)

## What is domestic abuse?

Domestic abuse includes physical, sexual and psychological abuse and it is unlawful. The police and magistrates' courts have a responsibility to protect people from this and help to stop the abuse being used against them.

Domestic Violence Protection Notices (DVPN) and Domestic Violence Protection Orders (DVPO) are a way to help stop violence or fear of violence and gives everyone involved time to consider the options with appropriate support.

## Why have I been served with a Domestic Violence Protection Notice (DVPN)?

You have been served with a Domestic Violence Protection Notice (DVPN) because the police reasonably believe that you have either been violent or are threatening violence to another individual within a specified address (normally, your home). The individual is likely to be your partner or other household member.

When considering whether to serve a DVPN on you, the police will have talked to all of those involved, including you, and made a decision to serve the DVPN based on the evidence they have against you of domestic violence.

The police will serve a DVPN if they believe that a threat of violence by you exists and that it is necessary to protect the people living at the specified address.

## What does the Domestic Violence Protection Notice (DVPN) do?

The DVPN lasts for up to 48 hours (excluding Sundays and bank holidays) after it is served and within that time-period:

- Will prohibit you from molesting (i.e. threatening or otherwise interfering with) named individuals living at a specified address (normally your home) or face arrest.
- May prohibit you from returning to, entering and being within a certain distance of a specified address (normally, your home) or face arrest;

The DVPN also tells you that, within 48 hours of being served with the DVPN, you must attend a court hearing so that the court can decide whether to make a Domestic Violence Protection Order (DVPO) against you. When the date and time of the court hearing becomes known within the 48 hour period, the police will serve on you a 'Notice of Hearing'.

## Leaving your home

If you live at the address specified in the DVPN and the DVPN requires you to leave this address, then you must do so with immediate effect, or face arrest.

The police will ask you for an alternative address and a contact telephone number where you may be reached during the next 48 hours.

You will have to find somewhere else to live, accommodation helplines are detailed on the rear of this leaflet.

## What happens if I breach the Domestic Violence Protection Notice (DVPN)?

You may be arrested, kept in police custody and brought before a magistrates court. Within 24 hours of your arrest, the magistrates' court will hear an application for a Domestic Violence Protection Order (DVPO) and, if proceedings are adjourned, may remand you into custody.

## What is a Domestic Violence Protection Order (DVPO)?

A Domestic Violence Protection Order (DVPO) is an order applied for by the police and made by the magistrates' court which imposes certain restrictions on you if the court is satisfied that:

- on the balance of probabilities, you have been violent or have threatened violence towards a person living at a specified address (normally, your home); and
- the court believes that the person at the specified address requires the protection of a DVPO.

If the magistrates decide to make a DVPO, then the Order will last for between a minimum of 14 days and a maximum of 28 days. The Order may:

- prohibit you from returning to, entering and being within a certain distance of the specified address (normally, your home);
- impose any other restriction which the magistrates feel are necessary to ensure that you do not molest individuals within the specified address.

The law allows magistrates to make a DVPO against you even if the person living at the specified address and whom you have been violent towards does not consent to it. In addition, the magistrates will take into account the welfare of any person aged under 18 living at the specified address.

## When will the magistrates' court hear an application for a Domestic Violence Protection Order (DVPO)?

The magistrates' court will hear an application for a DVPO within 48 hours of you being served with a DVPN by the police.