

A GUIDE TO DEALING WITH DOMESTIC VIOLENCE

What do I do if my partner assaults me?

If you have been assaulted by your partner (whether married or not), you should first call your local Police Station. In an emergency dial 999 or contact the Women' Aid (01522 510041) or Social Services. In appropriate cases, the Police will arrest your partner and he or she will be taken to the Magistrates Court. If the offence is serious enough, they will have bail conditions imposed to keep them away from your home and you. The bail conditions will last until such time as the Magistrates Court finally deal with the case.

If you feel that you may be forced to leave home, it is wise to keep an overnight bag packed ready and have at hand your child benefit book or details of the paying office and reference number etc.

What happens if the Police won't get involved?

The Police are not always able to immediately solve your particular problem so you may need the protection offered by the Civil Courts who can make Injunction Orders to protect you.

How can I be sure that an Injunction will work?

Nowadays if there is evidence that your partner has used or threatened to use violence against you, the Order will have a Power of Arrest on it. This means that if your partner was to breach the Order, you could ring the Police and they would arrest him/her immediately. Sometimes an Injunction can also be obtained to keep your partner away from your home. It is necessary for that home to also have been his/hers (at least until fairly recently). It is possible to obtain Injunction Orders very quickly but if your partner has not had any notice of the application, there will need to be a second hearing of which he/she must be aware. Injunctions are normally in force for between four to six months.

What if he or she is not actually violent?

In some cases there is no evidence of physical violence but there are threats of violence or your partner harasses you constantly, wearing you down and getting to you so that you feel you can no longer cope. These situations will also eventually affect the children and cannot be allowed to go on for too long. Sometimes a letter from a solicitor has the desired effect and there is no need to go to Court to get an Injunction.

What if I am being harassed or followed around by someone?

If you are harassed or followed around by someone who is not your partner or ex-partner, it is also possible to receive help either from the Police or from an Injunction in the Civil Courts. These cases are not usually considered by the Courts to be emergencies. The best thing to do is to advise your solicitor immediately you think that you may be under a real threat as there are measures that can be taken to protect you.

What will it cost?

Costs are likely to be in the region of £1,000 plus VAT. It is possible to obtain an Order from the Courts that your aggressor pays your costs. Never delay action due to concerns about costs as the consequences can be severe. If you are entitled to Legal Aid, then we will recommend a solicitor who has a Legal Aid practice.