



Complete Guide To Non-Molestation Order

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Introduction

No one goes into a relationship thinking that it's going to become abusive but, for many people, this is sadly the case. No matter what type of abuse you're experiencing, it can be extremely damaging both mentally and physically and can have extensive repercussions in other areas of your life.

For many people in an abusive relationship, it's not just their own personal safety that they are concerned about, it's the safety of their children too.

Whether your partner poses an immediate danger to you or not, it's common to spend a lot of your time worrying about what they might do next.

It's important to know that even though your relationship may leave you feeling vulnerable or isolated, you are never alone. In addition to your own support network, you also have the law on your side when it comes to putting protective measures in place. A non-molestation order can be issued by the courts to prevent a former partner or other person from causing you harm. A family solicitor can help you to apply for a non-molestation order. Not only will they be able to help you with the practical aspects of filing for paperwork, they can also bring clarity and guidance in what can be an extremely stressful situation.

If you are considering applying for a non-molestation order, you may feel daunted by the paperwork and processes that you must adhere to. We're here to help you get through this painful chapter of your life and come out safer and happier on the other side.



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When To Apply For A Non-Molestation Order

If you believe that you, or your children, are in immediate danger from an abusive partner, a non-molestation order isn't the right solution for you. When you're worried that your partner could cause you serious harm imminently, your first point of contact should be the police, who will be able to provide you with immediate assistance.

Non-molestation orders should be used in cases where you want to ensure the safety of you and your children if you are worried that your partner could cause harm in the future.

How Do Non-Molestation Orders Work?

A non-molestation order is an injunction that the family court can grant to people who are in abusive relationships. This injunction is intended to prevent a partner, or former partner, from being able to cause harm.

An abusive relationship is not just one which is physically abusive, there are plenty of other ways that a partner could be abusive and put your health or wellbeing at risk. Along with physical harm, they could also be submitting you to harassment, intimidation, psychological abuse, threats to inflict physical harm, coercive and controlling behaviour, or financial abuse. No matter what type of harm your partner is inflicting on you and your children, it's possible to get a non-molestation order put in place against them.

Non-molestation orders can be applied against 'associated persons', which can include any of the following individuals:

- A spouse, or ex-spouse
- A civil partner, or previous civil partner
- A fiancé(e) or ex-fiancé(e)
- A family member
- Someone you live with, or used to live with
- The father or mother of your children

If any of the parties mentioned above pose a threat to you and your children, we would encourage you to obtain a non-molestation order. Everyone deserves to feel safe, which can be hard when you're in an abusive relationship or feel constantly worried about being in harm's way.

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The Process Of Filing For A Non-Molestation Order

The process of filing for a non-molestation order is quite simple and is possible to do yourself. To apply, you must file an FL401 form. This a 20-page document that must be filled out correctly in order for your injunction to be granted.

To avoid making any mistakes in this complicated document, it's normally best to seek legal advice. Even the smallest mistakes in the form submitted to the courts could result in long delays.

After your application has been sent

off, you will also have to appear in family court to get your order granted. To this meeting, it's best to bring as much evidence as you can, which can include:

- Detailed descriptions of times when you have been physically or emotionally harmed.
- The effect of these incidents on you and your children.
- Medical or police records.

During the hearing, the judge will consider all statements and evidence before deciding whether they will grant the order or not.

Does Your Partner Need To Know About The Non-Molestation Order?

We understand that, in some circumstances, you may feel safer if your partner does not know about your intention to obtain a non-molestation order. If you think you might be in danger if your partner finds out, it is possible to apply for an order without them knowing.

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This is known as 'ex-parte' or 'without notice' order. If you are able to get one of these orders granted, this will normally not be considered a final non-molestation order. Although this will provide protection to you and your children, the courts will typically require a secondary hearing which will give your partner a chance to give their views and evidence of their own, but importantly you will already be protected by the order.



How Much Does A Non-Molestation Order Cost?

No court fees are incurred for non-molestation orders.

How Long Does A Non-Molestation Order Take To Be Granted, If Made 'On Notice'?

If the application is made 'on notice', then your partner will be aware of the application. The Court will list a hearing date to consider the application and both parties are expected to attend. Like any legal process, it's hard to say exactly how long a non-molestation order will take to be granted. It will largely depend on the amount of evidence you have submitted for the courts to consider and how quickly the court is then able to make a decision. It may be that the order is made at the very first hearing, but that the proceedings last several months.

On average, it shouldn't take more than a few weeks for your application to be first considered. Once it's put in place, you will immediately be protected by the courts if an associated person tries to harm you or your children.

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Making Non-Molestation Orders Easier

We understand that abusive relationships can have a detrimental impact on the lives of you and your children, which is why we're committed to helping our clients obtain necessary non-molestation orders as quickly as possible.

When you work with one of our family law specialists, we'll provide you with all the information you need to know about the process and how it can be sped up. We will provide you with support and practical information so that you can close this painful chapter of your life.



If you think you need to apply for a non-molestation order, you can reach out to National Legal Service at 0203 601 5051 or email us: info@nationallegalservice.co.uk. Our experienced family law team can offer guidance and practical support.