

Non-Molestation Order

{ EMBED	In the Family Court	No: { MERGEFIELD
Word.Picture.	Sitting at { MERGEFIELD	FW_INJ_APP_FW_INJ_CAS
8 }	FW_INJ_APP_FW_INJ_COURT_com	ENO }
	pname }	

The Family Law Act 1996

{ IF { MERGEFIELD FW_INJ_APP_FW_INJ_REL } = "Married" "The Marriage of { MERGEFIELD LINKNAME_FORENAME_1 } { MERGEFIELD LINKNAME_SURNAME_1 } and { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPFORE } { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPSURN }" "{ IF { MERGEFIELD FW_INJ_APP_FW_INJ_REL } = "Civil Partnership" "The Civil Partnership of { MERGEFIELD LINKNAME_FORENAME_1 } { MERGEFIELD LINKNAME_SURNAME_1 } and { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPFORE } { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPSURN }" "{ IF { MERGEFIELD FW_INJ_APP_FW_INJ_REL } = "Were married" "The Relationship of { MERGEFIELD LINKNAME_FORENAME_1 } { MERGEFIELD LINKNAME_SURNAME_1 } and { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPFORE } { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPSURN }" "{ IF { MERGEFIELD FW_INJ_APP_FW_INJ_REL } = "Former CPs" "The Relationship of { MERGEFIELD LINKNAME_FORENAME_1 } { MERGEFIELD LINKNAME_SURNAME_1 } and { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPFORE } { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPSURN }" "{ IF { MERGEFIELD FW_INJ_APP_FW_INJ_REL } = "Cohabiting" "The Relationship of { MERGEFIELD LINKNAME_FORENAME_1 } { MERGEFIELD LINKNAME_SURNAME_1 } and { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPFORE } { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPSURN }" "{ IF { MERGEFIELD FW_INJ_APP_FW_INJ_REL } = "Were cohabiting" "The Relationship of { MERGEFIELD LINKNAME_FORENAME_1 } { MERGEFIELD LINKNAME_SURNAME_1 } and { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPFORE } { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPSURN }" "{ IF { MERGEFIELD FW_INJ_APP_FW_INJ_REL } = "Both live/have lived in same household" "The Family of { MERGEFIELD LINKNAME_FORENAME_1 } { MERGEFIELD LINKNAME_SURNAME_1 } and { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPFORE } { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPSURN }" "{ IF { MERGEFIELD FW_INJ_APP_FW_INJ_REL } = "Relative" "The Family of { MERGEFIELD LINKNAME_FORENAME_1 } { MERGEFIELD LINKNAME_SURNAME_1 } and { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPFORE } { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPSURN }" "{ IF { MERGEFIELD FW_INJ_APP_FW_INJ_REL } = "Agreed to marry" "The Relationship of { MERGEFIELD LINKNAME_FORENAME_1 } { MERGEFIELD LINKNAME_SURNAME_1 } and { MERGEFIELD

FW_INJ_RESP_FW_INJ_RESPFORE } { MERGEFIELD
FW_INJ_RESP_FW_INJ_RESPSURN }" "{ IF { MERGEFIELD
FW_INJ_APP_FW_INJ_REL } = "Agreed to form a CP" "The Relationship of {
MERGEFIELD LINKNAME_FORENAME_1 } { MERGEFIELD
LINKNAME_SURNAME_1 } and { MERGEFIELD
FW_INJ_RESP_FW_INJ_RESPFORE } { MERGEFIELD
FW_INJ_RESP_FW_INJ_RESPSURN }" "{ IF { MERGEFIELD
FW_INJ_APP_FW_INJ_REL } = "Both are parents/have PR for a child" "The Family
of { MERGEFIELD LINKNAME_FORENAME_1 } { MERGEFIELD
LINKNAME_SURNAME_1 } and { MERGEFIELD
FW_INJ_RESP_FW_INJ_RESPFORE } { MERGEFIELD
FW_INJ_RESP_FW_INJ_RESPSURN }" "{ IF { MERGEFIELD
FW_INJ_APP_FW_INJ_REL } = "One party is parent and other has PR for the child"
"The Family of { MERGEFIELD LINKNAME_FORENAME_1 } { MERGEFIELD
LINKNAME_SURNAME_1 } and { MERGEFIELD
FW_INJ_RESP_FW_INJ_RESPFORE } { MERGEFIELD
FW_INJ_RESP_FW_INJ_RESPSURN }" "{ IF { MERGEFIELD
FW_INJ_APP_FW_INJ_REL } = "Having/had an intimate relationship" "The
Relationship of { MERGEFIELD LINKNAME_FORENAME_1 } { MERGEFIELD
LINKNAME_SURNAME_1 } and { MERGEFIELD
FW_INJ_RESP_FW_INJ_RESPFORE } { MERGEFIELD
FW_INJ_RESP_FW_INJ_RESPSURN }" "{ IF { MERGEFIELD
FW_INJ_APP_FW_INJ_REL } = "1 is natural parent/GP to a child, other adoptive"
"The Family of { MERGEFIELD LINKNAME_FORENAME_1 } { MERGEFIELD
LINKNAME_SURNAME_1 } and { MERGEFIELD
FW_INJ_RESP_FW_INJ_RESPFORE } { MERGEFIELD
FW_INJ_RESP_FW_INJ_RESPSURN }" "{ IF { MERGEFIELD
FW_INJ_APP_FW_INJ_REL } = "Both parties to the same family proceedings" "The
Family of { MERGEFIELD LINKNAME_FORENAME_1 } { MERGEFIELD
LINKNAME_SURNAME_1 } and { MERGEFIELD
FW_INJ_RESP_FW_INJ_RESPFORE } { MERGEFIELD
FW_INJ_RESP_FW_INJ_RESPSURN }" "Please select a relationship in the dossier
page and reopen this template" }" }" }" }" }" }" }" }" }" }" }" }" }

After hearing [name the advocate(s) who appeared]
{ IF { MERGEFIELD FW_INJ_APP_FW_INJ_NOTICE } = "Yes" "After reading the statement(s)
and hearing the witness(es) specified in para [insert] of the Recitals below" "" }

**NON-MOLESTATION ORDER MADE BY [NAME OF JUDGE] ON [DATE]
SITTING IN PRIVATE**

IMPORTANT NOTICE TO THE RESPONDENT,	{ MERGEFIELD
FW_INJ_RESP_FW_INJ_RESPFORE * Upper}	{ MERGEFIELD
FW_INJ_RESP_FW_INJ_RESPSURN * Upper} OF	{ MERGEFIELD
FW_INJ_RESP_FW_INJ_RESPADD1 * Upper}	{ MERGEFIELD
FW_INJ_RESP_FW_INJ_RESPADD2 * Upper}	{ MERGEFIELD
FW_INJ_RESP_FW_INJ_RESPADD3 * Upper}	{ MERGEFIELD
FW_INJ_RESP_FW_INJ_RESPADD4 * Upper}	{ MERGEFIELD
FW_INJ_RESP_FW_INJ_RESPPCOD * Upper}	{ MERGEFIELD

YOU MUST OBEY THIS ORDER. You should read it carefully. If you do not understand anything in this order you should go to a solicitor, Legal Advice Centre or Citizens Advice Bureau. You have a right to apply to the court to change or cancel the order.

WARNING: IF, WITHOUT REASONABLE EXCUSE, YOU DO ANYTHING WHICH YOU ARE FORBIDDEN FROM DOING BY THIS ORDER, YOU WILL BE COMMITTING A CRIMINAL OFFENCE AND LIABLE ON CONVICTION TO A TERM OF IMPRISONMENT NOT EXCEEDING FIVE YEARS OR TO A FINE OR BOTH.

ALTERNATIVELY, IF YOU DO NOT OBEY THIS ORDER, YOU WILL BE GUILTY OF CONTEMPT OF COURT AND YOU MAY BE SENT TO PRISON, BE FINED, OR HAVE YOUR ASSETS SEIZED.

The Parties

1. The applicant is { MERGEFIELD LINKNAME_FORENAME_1 } { MERGEFIELD LINKNAME_SURNAME_1 }
The respondent is { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPFORE } { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPSURN }
[The second respondent is ZZ]
[Specify if any party acts by a litigation friend]

Definitions

2. The "children of the family" are:

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{ IF { MERGEFIELD FW_INJ_CHILD_FW_INJ_C1FORENA } <> "" "a. {
MERGEFIELD FW_INJ_CHILD_FW_INJ_C1FORENA } { MERGEFIELD
FW_INJ_CHILD_FW_INJ_C1SURNAM } born on { MERGEFIELD
FW_INJ_CHILD_FW_INJ_C1DOB }" "" }
{ IF { MERGEFIELD FW_INJ_CHILD_FW_INJ_C2FORENA } <> "" "b. {
MERGEFIELD FW_INJ_CHILD_FW_INJ_C2FORENA } { MERGEFIELD
FW_INJ_CHILD_FW_INJ_C2SURNAM } born on { MERGEFIELD
FW_INJ_CHILD_FW_INJ_C2DOB }" "" }
{ IF { MERGEFIELD FW_INJ_CHILD_FW_INJ_C3FORENA } <> "" "c. {
MERGEFIELD FW_INJ_CHILD_FW_INJ_C3FORENA } { MERGEFIELD
FW_INJ_CHILD_FW_INJ_C3SURNAM } born on { MERGEFIELD
FW_INJ_CHILD_FW_INJ_C3DOB }" "" }
{ IF { MERGEFIELD FW_INJ_CHILD_FW_INJ_C4FORENA } <> "" "d. {
MERGEFIELD FW_INJ_CHILD_FW_INJ_C4FORENA } { MERGEFIELD
FW_INJ_CHILD_FW_INJ_C4SURNAM } born on { MERGEFIELD
FW_INJ_CHILD_FW_INJ_C4DOB }" "" }
{ IF { MERGEFIELD FW_INJ_CHILD_FW_INJ_C5FORENA } <> "" "e. {
MERGEFIELD FW_INJ_CHILD_FW_INJ_C5FORENA } { MERGEFIELD
FW_INJ_CHILD_FW_INJ_C5SURNAM } born on { MERGEFIELD
FW_INJ_CHILD_FW_INJ_C5DOB }" "" }
{ IF { MERGEFIELD FW_INJ_CHILD_FW_INJ_C6FORENA } <> "" "f. {
MERGEFIELD FW_INJ_CHILD_FW_INJ_C6FORENA } { MERGEFIELD
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FW_INJ_CHILD_FW_INJ_C6SURNAM } born on { MERGEFIELD
FW_INJ_CHILD_FW_INJ_C6DOB }" "" }

3. The "family home" is { MERGEFIELD FW_INJ_OCC_FW_INJ_FHADD1 } {
MERGEFIELD FW_INJ_OCC_FW_INJ_FHADD2 } { MERGEFIELD
FW_INJ_OCC_FW_INJ_FHADD3 } { MERGEFIELD
FW_INJ_OCC_FW_INJ_FHADD4 } { MERGEFIELD
FW_INJ_OCC_FW_INJ_FHPCODE } / ["insert"] is [insert full address including
postcode]

Recitals

4. This is a non-molestation order made against the respondent { MERGEFIELD
FW_INJ_RESP_FW_INJ_RESPFORE } { MERGEFIELD
FW_INJ_RESP_FW_INJ_RESPSURN } on [insert date] by [insert name of judge] on
the application of the applicant { MERGEFIELD LINKNAME_FORENAME_1 } {
MERGEFIELD LINKNAME_SURNAME_1 }.
5. (Where the order was made without notice) The judge read the following witness
statement(s) [set out] and heard oral evidence from [insert name(s)].
6. (Where the order was made without or on short notice) This order was made at a hearing
[without notice]/[on short informal notice] to the respondent. The reason why the order
was made [without notice]/[on short informal notice] to the respondent was [set out]. The
respondent has the right to apply to the court to vary or discharge the order – see
paragraph [insert] below.

Undertakings given to the court by the applicant { MERGEFIELD LINKNAME_FORENAME_1 } { MERGEFIELD LINKNAME_FORENAME_2 }

7. [By [insert time and date] the applicant shall:
- issue an application notice [in the form of the draft produced to the court] [claiming
the appropriate relief]; and
 - file a witness statement [substantially in the terms of the draft witness statement
produced to the court] [confirming the substance of what was said to the court by the
applicant's counsel/solicitor]].
8. By [insert time and date] the applicant shall serve upon the respondent, together with this
order:
- a copy of the application;
 - copies of the witness statement(s) and exhibits containing the evidence relied upon
by the applicant, and any other documents provided to the court on the making of the
application; and
 - a note [prepared by [his]/[her] solicitor] recording the substance of the dialogue with
the court at the hearing and the reasons given by the court for making the order,
which note shall include (but not be limited to) any allegation of fact made orally to
the court where such allegation is not contained in the witness statement(s) or draft
witness statement(s) read by the judge.

IT IS ORDERED (BY CONSENT):

Non-Molestation Order – Applicant

9. The respondent, { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPFORE } { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPSURN }, must not use or threaten violence against the applicant, { MERGEFIELD LINKNAME FORENAME 1 } { MERGEFIELD LINKNAME_SURNAME_1 }, and must not instruct, encourage or in any way suggest that any other person should do so.
10. The respondent, { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPFORE } { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPSURN }, must not intimidate, harass or pester the applicant, { MERGEFIELD LINKNAME FORENAME 1 } { MERGEFIELD LINKNAME_SURNAME_1 }, and must not instruct, encourage or in any way suggest that any other person should do so.
11. The respondent, { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPFORE } { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPSURN }, must not telephone, text, email or otherwise contact or attempt to contact the applicant, { MERGEFIELD LINKNAME_FORENAME_1 } { MERGEFIELD LINKNAME_SURNAME_1 }, [except for the purpose of making arrangements for contact between the respondent and the children of the family] / [except through [his]/[her] solicitors [*insert name, address and telephone number*]].
12. The respondent, { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPFORE } { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPSURN }, must not damage, attempt to damage or threaten to damage any property owned by or in the possession or control of the applicant, { MERGEFIELD LINKNAME_FORENAME_1 } { MERGEFIELD LINKNAME_SURNAME_1 }, and must not instruct, encourage or in any way suggest that any other person should do so.
13. The respondent, { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPFORE } { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPSURN }, must not damage, attempt to damage or threaten to damage the property or contents of [the family home]/[insert property], and must not instruct, encourage or in any way suggest that any other person should do so.

Non-Molestation Order - Zonal

14. The respondent, { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPFORE } { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPSURN }, must not go to, enter or attempt to enter [the family home] / [*insert property*] / [any property where he knows or believes the applicant, { MERGEFIELD LINKNAME_FORENAME_1 } { MERGEFIELD LINKNAME_SURNAME_1 }, to be living], and must not go [within [*insert*] metres of it] / [along the road(s) known as [*insert*]], except that the respondent may [go to the property [without entering it]] / [go along the road(s) known as [*insert*]] for the purpose of collecting the children of the family for, and returning them from, such contact with the children as may be agreed in writing between the applicant and the respondent or in default of agreement ordered by the court.

Non-Molestation Order - Children

15. The respondent, { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPFORE } { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPSURN }, must not use or threaten violence against the child[ren] of the family, and must not instruct, encourage or in any way suggest that any other person should do so.
16. The respondent, { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPFORE } { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPSURN }, must not intimidate, harass or pester the child[ren] of the family, and must not instruct, encourage or in any way suggest that any other person should do so.
17. The respondent, { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPFORE } { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPSURN }, must not telephone, text, email or otherwise contact or attempt to contact the child[ren] of the family [except for such contact as may be agreed in writing between the applicant and the respondent or in default of agreement ordered by the court].
18. The respondent, { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPFORE } { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPSURN }, must not [between the hours of 08:30 and 16:00] go to, enter or attempt to enter the school premises known as [insert], and must not go [within [insert] metres of it] / [along the road(s) known as [insert]], except [by prior written agreement with the applicant] / [by prior written invitation from the school authorities].

Duration of Non-Molestation Order

19. Paragraph(s) [insert] of this order shall be effective against the respondent { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPFORE } { MERGEFIELD FW_INJ_RESP_FW_INJ_RESPSURN } once it is personally served on [him]/[her] [and/or] once [he]/[she] is made aware of the terms of this order whether by personal service or otherwise.
20. Paragraph(s) [insert] of this order shall last until [a further order is made] / [insert date and time] [unless before then it is varied or revoked by an order of the court].
21. The respondent may apply to the court at any time to vary or discharge this order on [insert hours / days] [written] notice to the [applicant]/[applicant's solicitors]. If any evidence is to be relied upon in support of [his]/[her] application, the substance of it must be communicated in writing to the [applicant]/[applicant's solicitors] in advance.

Hearings

22. The application(s) [is]/[are] listed for a further [directions] hearing in the Family Court sitting at [place] on [insert date] ('the return date'), at which hearing the court will reconsider the application [and whether the order should continue]. If you do not attend on the date and at the time shown the court may make an order in your absence.

Costs

23. The costs of this application are [reserved to the judge hearing the application on the return date] / [in the application], etc.

Dated

Note to Arresting Officer:

Under section 42A of the Family Law Act 1996, breach of a non-molestation order is a criminal offence punishable by up to five years' imprisonment. It is an arrestable offence and it is not necessary to obtain a warrant.

"A person who without reasonable excuse does anything that he is prohibited from doing by a non-molestation order is guilty of an offence".
Family Law Act 1996, section 42A(1).

Notice pursuant to PD 33A para 1.4

You { MERGEFIELD LINKNAME_FORENAME_1 } { MERGEFIELD LINKNAME_SURNAME_1 }, the applicant, may be sent to prison for contempt of court if you break the promises that have been given to the court

Statement pursuant to PD 33A para 1.5

I understand the undertakings that I have given, and that if I break any of my promises to the court I may be sent to prison for contempt of court

Signed

.....
{ MERGEFIELD LINKNAME_FORENAME_1 } { MERGEFIELD LINKNAME_SURNAME_1 } [date]

Communications with the court

All communications to the court about this order should be sent to –
[Insert the address and telephone number of the appropriate Court Office]

Name and address of applicant's legal representatives

The applicant's legal representatives are –
{ MERGEFIELD CALCULATION_FEE_EARNER_DESCRIPTION }
{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME }
{ MERGEFIELD BRANCHINFO_HOUSE }
{ MERGEFIELD BRANCHINFO_AREA }
{ MERGEFIELD BRANCHINFO_POSTAL_TOWN }
{ MERGEFIELD BRANCHINFO_COUNTY }
{ MERGEFIELD BRANCHINFO_POSTCODE }
{ IF { MERGEFIELD BRANCHINFO_DX_NO } <> "" "DX: «BRANCHINFO_DX_NO»" "" }
Ref: { MERGEFIELD client_no }/{ MERGEFIELD matter_no }
Tel: { MERGEFIELD BRANCHINFO_PHONE_NO }
Fax: { MERGEFIELD BRANCHINFO_FAX_NO }