**NON MOLESTATION ORDER TICK BOX FORM**

In the Family Court at BATH / BRISTOL/WESTON Case No. ……………………….

Applicant…………………………………………. Respondent…………………………………………

On / / 201 Before Judge

Upon hearing

□ Counsel □ Solicitor □ Legal Representative for the Applicant

□ the Applicant in person / the Applicant also attending

□ Counsel □ Solicitor □ Legal Representative for the Respondent

□ the Respondent in person

□ the Respondent having had no notice of this application

□ the Respondent having been served with notice of this application but not attending

And upon reading the signed statement(s) of the Applicant dated [and the Respondent dated ]

**And upon the Court having considered s45 of the Family Law Act 1996 and found that if an order is not made immediately then the Applicant or a relevant child is at risk of significant harm attributable to the Respondent’s conduct.**

**And upon it being ordered that this order shall take effect from the time that the Respondent has either been personally served with this order OR been served using the alternative method of service permitted by the Court below.**

**Non- molestation orders**

1. □ The Respondent is forbidden to use or threaten violence against the Applicant [and must not instruct, encourage or in any way suggest that any other person should do so]

2. □ The Respondent is forbidden to use or threaten violence against the relevant child(ren) [name(s) and date(s) of birth]

[and must not instruct, encourage or in any way suggest that any other person should do so].

3. □ The Respondent is forbidden to communicate in any way with the Applicant save through solicitors

[which includes □ telephone □ text □ email □ letters □ social networking sites or other forms of electronic messaging ]

 □ The Respondent is forbidden to communicate in any way with the relevant children

[name(s) and date(s) of birth]

[which includes □ telephone □ text □ email □ letters □ social networking sites or other forms of electronic messaging ]

4. □ The Respondent must not post any comments, images, videos, film footage or statements about the Applicant on any social networking platforms or the internet and must not encourage any other person to do so.

5. □ The Respondent must not disclose, disseminate or publish any information about these proceedings concerning the Applicant by print, electronic form or on the internet and must not instruct or encourage or in any way suggest that any other person should do so.

6. □ (a) Having left the property at ….......

 and the Applicant remaining there the Respondent is forbidden to pester the Applicant by going to/within …...... metres of that property (“the Exclusion Zone”). For the avoidance of doubt the very presence of the respondent in the Exclusion Zone will be a breach of this order.

 [] (b) The Respondent is forbidden to pester the Applicant by going within the exclusion zone shown on the attached map and edged in red. The very presence of the Respondent in the exclusion zone will constitute a breach of this order.

 [] (c) The respondent is forbidden to pester the applicant by going to/within metres of

 (“the Exclusion Zone”). For the avoidance of doubt the very presence of the respondent in the Exclusion Zone will be a breach of this order.

7. □ The Respondent must not damage or attempt to damage or threaten to damage any property owned by or in the possession or control of the Applicant or the contents of…………………………………………………………………and must not instruct encourage or in way suggest that any other person should do so.

8. □ The Respondent is forbidden to *[insert any additional provision]*

 **□ This Order does not prevent the Respondent from coming to court at any hearing when the Applicant will be present nor does it change any order presently in place in respect of contact. This Order permits the Respondent to attend any such hearing without breaching any bail condition not to contact the Applicant.**

**THE BREACH OF ANY PARAGRAPH IN THIS ORDER IS AN ARRESTABLE OFFENCE.**

**Duration**

This Order shall continue until 23:59 hours on [date] or further Order.

**Next hearing** [for without notice orders]

The next hearing shall take place on:

□ [specific date]

□ next available date after…………………..days

 Time Estimate ……………………. minutes/hours.

□ Time for service abridged to …………………days/hours.]

The parties and their advocates are to attend at least 30 minutes in advance of such hearing.

**For orders made without notice include:**

Because the Respondent was not served with the application dated………………….…….. before this order was made then pursuant to Rule 18.11 of The Family Procedure Rules 2010 the Respondent may apply to have this order set aside or varied. Any such application must be made within 7 days beginning with the date on which this order was served on the Respondent.

The court has not made any findings of fact when deciding to make the order.

**Costs**

□ The Respondent to pay the Applicant’s costs assessed at £ ……………. payable by [date]

□ The Applicant to pay the Respondent’s costs assessed at £ ……………. payable by [date]

□ public funding assessment of the

□Applicant’s □ Respondent’s □ both parties’ costs.

□ No Order as to Costs.

□ Costs reserved.

**Service of this Order**

□ The Applicant’s solicitor shall serve a copy of this Order **and the certificate of service in Section 9 format** on the police.

□ The Court shall arrange for Bailiff service on the Respondent and the police.

**□ This Order may be served on the Respondent by** (eg. Text/Email/ETC)

………………………………………………………..

**If personal service is not possible.**

…………………………………………………… ………………………………..

**Circuit Judge/District Judge Date**