

# how can I be protected from the violence?

## Legal protection

Regardless of whether the police can use criminal law against a violent person, you can still use the civil law to get protection to allow you to live in safety if you feel that this will help. Under the Family Law Act 1996, many victims of domestic violence can apply for court orders against their abusers. For example, you can apply for an order against someone you live with or have lived with (whether or not you have been married), someone you have agreed to marry, or someone who shares parental responsibility for a child with you.

These orders can stop the abusive behaviour or, in some cases, prevent the abusive person from entering your home. Courts can attach a power of arrest so that if your abuser does not keep to the order, the police can take them to court.

If you are on Income Support or have a very low income, you may be able to get public funding (formerly legal aid) to pay for legal proceedings and advice from a solicitor.

You can find out more from the police, a solicitor, your local magistrates' court or county court, a Citizens Advice Bureau or Women's Aid groups.

## Moving away

If you are being abused by the person you live with, or by someone connected with you such as an ex-partner, you may decide it is best to leave your home. If you have nowhere else to go, you can contact the helplines given in this leaflet or your local council's housing department. The council should provide a 24-hour emergency homelessness service. If they feel you are vulnerable because you are at risk of domestic violence, and that it would not be reasonable for you to continue living at your home, they must help you to find somewhere else to live. They may provide you with temporary accommodation such as a place in a hostel, a bed-and-breakfast hotel or a women's refuge.

A refuge is a safe house where women and children can live free from violence. It offers a temporary breathing space where you can make decisions free from pressure and fear. There are refuges specially for women and children from particular ethnic or cultural backgrounds, for example, black, Asian, Latin American or Jewish women, and some refuges have access for disabled people and staff trained in special needs.

One of the reasons that many people stay in abusive relationships is because they wonder how they will manage financially if they leave. There are various benefits you may be able to claim and you can claim some of these even if you are working. Your local Social Security Benefits Office will be able to give you advice.

### What about the children?

There are frightening links between domestic violence and child abuse. Children may be injured or abused or at risk of accidental injury, and they often suffer indirectly even when they are not directly abused themselves – they are often more aware of the abuse than their parents realise.

Your abuser may threaten that if you leave or tell anyone about the violence, your children will be taken away from you. Social Services will not take children away for this reason. If you fear your partner will abduct the children, you should get advice as soon as possible. Your local Women's Aid group, Law Centre, Citizens Advice Bureau, or a solicitor can advise you on issues such as parental responsibility, where children should live, who they should have contact with, changing schools and

related problems. They can also give you advice on how to protect your children and how contact between your children and a violent parent can be restricted or supervised.

### How can I help a friend who is experiencing domestic violence?

Unless the person you are trying to help has been very open about the violence, it may be difficult for you to tell them you know about the problem. However, if someone does confide in you that they are experiencing domestic violence, there are some basic steps you can take.

- **Be understanding.** Explain that there are many people in this situation. Acknowledge that it takes strength to trust someone enough to talk about the abuse. Allow them time to talk, and don't push them to give too much detail if they don't want to.
- **Be supportive.** Say that no-one deserves to be threatened or beaten, despite what the abuser may have said. Be a good listener, and encourage them to express their hurt and anger.



- **Let them make their own decisions.** If they aren't ready to leave the relationship, this is their decision.
- **Ask if they have suffered physical harm.** Offer to go with them to hospital if they need to go. If they want to report the assault to the police, help them to do this.
- **Give them information on the help which is available.** Look at the options together. Go with them to visit a solicitor if they are ready to take this step.
- **Help them work out safe plans for leaving the abusive relationship.** Let them decide what is safe and what is not. Don't encourage them to follow any plans they are not sure about.
- **Offer to let them use your address and phone number for receiving information and messages.**
- **Above all, look after yourself while you are supporting someone else.** Do not put yourself in a dangerous position. For example, do not offer to talk to the abuser about your friend, or let the abuser see you as a threat to their relationship.

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