**Ministry of Justice (2017, May)**

**Person experiencing family violence applies for a Protection Order**

# Do they need protection urgently?

Yes No

Person makes a Without Notice application to the court

Person makes an On Notice application to the court

## To keep the applicant safe, the respondent won’t get a chance to respond to the application until after a Temporary Protection Order is served

The respondent gets a chance to respond to the application in court before a Protection Order can be granted

If the court doesn’t agree that the application is urgent, it becomes an

Application served to the

respondent

Court grants Temporary Protection Order

‘On Notice’ application

## On Police request, the court can also impose a Temporary Protection Order if a violent person breaches a Police Safety Order

Temporary Protection Order served to the respondent

The application lapses if the Order can’t be served

If the application can’t be served it’s withdrawn, discontinued or struck out

If the Order isn’t defended by the

respondent

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| Court considers evidence at a hearing |
| A decision can be made even if the respondent doesn’t come to court |
|  |  |

If the court doesn’t grant a Final Protection Order, the application can

The court can also impose a Sentencing Act Final Protection Order when a person with family violence charges is sentenced (if the victim doesn’t object and there’s no Protection Order in place)

Final Protection Order granted

be dismissed (and any Temporary Protection Order discharged), withdrawn, discontinued or struck out