

SCHEDULES

SCHEDULE 7

DOMESTIC VIOLENCE PROTECTION NOTICES AND ORDERS

Power to issue a domestic violence protection notice

1.—(1) A police officer not below the rank of superintendent (“the authorising officer”) may issue a domestic violence protection notice (“a DVPN”) under this paragraph.

(2) A DVPN may be issued to a person (“P”) aged 18 years or over if the authorising officer has reasonable grounds for believing that—

- (a) P has been violent towards, or has threatened violence towards, an associated person, and
- (b) the issue of the DVPN is necessary to protect that person from violence or a threat of violence by P.

(3) Before issuing a DVPN, the authorising officer must, in particular, consider—

- (a) the welfare of any person under the age of 18 whose interests the officer considers relevant to the issuing of the DVPN (whether or not that person is an associated person),
- (b) the opinion of the person for whose protection the DVPN would be issued as to the issuing of the DVPN,
- (c) any representations made by P as to the issuing of the DVPN, and
- (d) in the case of provision included by virtue of sub-paragraph (8), the opinion of any other associated person who lives in the premises to which the provision would relate.

(4) The authorising officer must take reasonable steps to discover the opinions mentioned in sub-paragraph (3).

(5) But the authorising officer may issue a DVPN in circumstances where the person for whose protection it is issued does not consent to the issuing of the DVPN.

(6) A DVPN must contain provision to prohibit P from molesting the person for whose protection it is issued.

(7) Provision required to be included by virtue of sub-paragraph (6) may be expressed so as to refer to molestation in general, to particular acts of molestation, or to both.

(8) If P lives in premises which are also lived in by a person for whose protection the DVPN is issued, the DVPN may also contain provision—

- (a) to prohibit P from evicting or excluding from the premises the person for whose protection the DVPN is issued,
- (b) to prohibit P from entering the premises,
- (c) to require P to leave the premises, or
- (d) to prohibit P from coming within such distance of the premises as may be specified in the DVPN.