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NON-MOLESTATION AND OCCUPATION ORDER EVIDENCE GUIDANCE



What evidence is needed for a Non-Molestation Order?

- That you are an associated person to the respondent.
- If an order is not imposed that the applicant or any children are at 'significant risk' of harm from the respondent.
- Incidents of abuse need to be outlined, including the first, last and most serious incident of abuse.

What evidence is needed for an Occupation Order?

- That you are an associated person to the respondent.
- If an order is not imposed that the applicant or any children are at 'significant risk' of harm from the respondent.
- Incidents of abuse need to be outlined, including the first, last and most serious incident of abuse.
- That the respondent is living in the property
- That the respondent has access to financial funds in order to live elsewhere or that he has friends and family he can stay with and this will not be detrimental to their life e.g. work commitments
- By allowing them to stay in the property they will damage the property, harm the applicant or any child
- That you are entitled to live in the property and are unable to move elsewhere due to this not meeting your needs.

How do I present my evidence?

- Evidence can be included by adding it as exhibits throughout witness statements to back up points.

What sort of evidence can I present?

- Text messages and emails
- Doctors reports
- Police reports
- Photos of injuries or damage
- Referrals to domestic abuse organisations or counselling
- Evidence can be anything which backs up your statement but the court tends to not be keen to view video recordings or voice recordings of abuse and permission from the court is often required to use these as evidence.

