

## ***Emergency Protection Orders*** **Abusers have to leave home, not victims of violence**

In the past, women needing to escape abusive domestic situations had to leave their homes. In July of 2006, that changed. Last summer, the provincial government brought in Emergency Protection Orders. That means, in violent domestic situations, the provincial court can give police the power to remove an abusive partner from the residence. Because EPOs are designed for emergency situations, police often make the application but applications can also be made by the victim or a lawyer.

The point of an Emergency Protection Order is for women to have the option of staying in their homes. However, it may be safest if the victim and her children leave home until the EPO is carried out. In that case, she can go to a local shelter and apply for an EPO from there. Once the abuser is removed, the victim has the right to occupy the residence and the abuser will not have the right to return for up to 90 days. EPOs can also give the victim *temporary* control of personal property (such as vehicles, bank cards, etc.) and *temporary* custody of children.

An Emergency Protection Order is not a criminal charge. Police need to be contacted for charges to be laid against an abuser. If police are called to the home at the time of the violence, a criminal investigation, criminal charges and an application for an EPO could all take place at the same time. If a woman has applied for an EPO herself, she will also need to contact the police for charges to be laid.

### ***How to apply for an Emergency Protection Order***

The police can apply for an EPO at any time, day or night. A provincial judge who can issue EPOs is on-call 24 hours a day.

If a woman wants to apply for an EPO herself, she must apply in person at the Provincial Court during court hours. If she lives in an area where there isn't a Provincial Court, she can go to the police and they will make the application for her.

Women can also get help with their application from a lawyer or Victim Services.

### ***Helpful Links***

Application for Emergency Protection Orders  
[http://www.court.nl.ca/provincial/dv\\_forms.htm](http://www.court.nl.ca/provincial/dv_forms.htm)

Victim Services – a list of all offices in the province  
[http://www.justice.gov.nl.ca/just/PUBLICPR/victimservices/contact\\_victim\\_services.htm](http://www.justice.gov.nl.ca/just/PUBLICPR/victimservices/contact_victim_services.htm)

Government Information on EPOs  
<http://www.gov.nl.ca/vpi/fvlegislation.htm>

The Coalition Against Violence – regional offices  
[http://www.gov.nf.ca/vpi/regional\\_comm.html](http://www.gov.nf.ca/vpi/regional_comm.html)