

Domestic violence is a criminal offence. Any person who commits domestic violence can be punishable on conviction of up to 5 years or a fine not exceeding 100,000



Port Vila : PMB 9041,
26715 / 22420

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OPENING HOURS
7:30 am— 11:30 am
1:30 pm— 4:30 pm

This brochure is authorised by the Chief Justice of the Republic of Vanuatu and produced by the Supreme Court.

Note: The information contained in this brochure is intended as a guide for all court users, in particular, the unrepresented litigants.

This brochure is current as at 30 June 2020.

Court Website : <http://courts.gov.vu> or
<http://judiciary.gov.vu>

FAMILY PROTECTION ORDER



**If you are a
victim of
Domestic
violence you
can apply for a
Protection
Order**



Domestic violence is any of the following acts done against a family member:

- assaults the family member (whether or not there is any visible injury);
- psychologically abuses, harasses or intimidates the family member;
- sexually abuses the family member;
- following the family member so as to cause him or her fear;
- behaves in an indecent or offensive manner to the family member;
- damages or causes damage to the family member's property;
- threatens to do any of the acts mentioned above.

What is a Domestic Violence Protection Order?

It is an order of the court to stop threats or other acts of domestic violence. This order ensures that the complainant is kept safe by making it illegal for the defendant to act in certain ways.

Where can I apply for a Protection Order?

Directly with the Magistrate's Court, Island Court, the Police, or an Authorised person

Who can apply for a Protection Order?

- The victim

With consent from the victim the following persons can also apply.

- A relative or friend of the victim
- A lawyer ; or
- A police officer

How soon will I get the Order?

Orders are issued immediately by the magistrate so you leave with an order.

How do I make an Application for an Order?

- (a) Writing your complaint and filing it with the magistrate's Court, or
- (b) In person at the Magistrate's Court or the police station
 - By calling on the telephone
 - By videoconference
 - By letter to the court
 - By email to the court

What happens at the hearing?

Your application will be heard urgently before the magistrate without the defendant present.

How is the defendant notified of the order?

- The order will be served directly on the Defendant.
- The order is served by the police or any person who can do it. A copy is given to the police department.
- A proof of service is to be filed in court to prove service of the order on the Defendant.
- Orders are to be served on the Defendant in order to be effective.

What happens if the order is broken?

You call the police to arrest the defendant and he will be brought before the Magistrate.

What can I do if I am not satisfied with the outcome of my hearing?

You may appeal to the Supreme Court within 28 days of the order being made.