



Application for **non-contact order**

S7 VICTIMS' ORDERS AGAINST VIOLENT OFFENDERS ACT 2014

When to use this form

You can apply for a non-contact order if you are a victim of violent crime, the offender was sentenced to at least 2 years in prison and you don't want them to contact you. You can apply for a non-contact order any time after the offender has been released from prison.

- *If you were in a domestic relationship with the offender, you could apply for a protection order instead. The form is available at justice.govt.nz/family-justice/domestic-violence/forms*
- *If the offender is harassing you, please apply for a restraining order instead. The form is available at justice.govt.nz/courts/civil/publications*

Who else needs to fill in or sign this form

Step 3 of this form can be filled in by you or another person who can say why a non-contact order is needed and how contact by the offender would affect you.

Whoever fills in step 3 will have to go to a local court, justice of the peace or lawyer to have it signed.

Getting help to fill in this form

You can:

- email **vovo@justice.govt.nz**
- call **0800 COURTS (0800 268 787)**
- go to your **local district court**. District courts are open from 9am to 5pm from Monday to Friday. You can find your local court in the blue government pages at the front of the phonebook or at justice.govt.nz/services/finding-your-local-court
- talk to a lawyer.

Step 1 Give us your details

Don't give my contact details to the offender or any other people included in the non-contact order.

Full name _____

Phone _____

Email _____

Home address _____

Address for service

If you would like written information about this application posted to a different address, such as your lawyer's office, please give us the address.

Lawyer's contact details

If a lawyer is filling in this application for you, or an agent is acting for your lawyer, please give us their details.

Lawyer's name _____

Lawyer's firm _____

Agent's name _____

Contact details

Phone _____

Email _____

Address _____

Step 2 Give us the application details

Type of application

Most applications will be processed as 'on notice', which gives the offender a chance to respond.

If your application is urgent, for example in cases of abuse, your application can be processed 'without notice'.

This application is on notice without notice

Offender's details

Full name _____

Do you know the offender's current address?

Yes. Current address

No. Please give us any information that might help us find the person's address
(such as an old address, their place of work, a friend or relative's contact details).

If you know, tell us which court the offender was sentenced in for the crime against you, such as Timaru District Court.

Details of other people to be included in the non-contact order

SECTION 12, VICTIMS' ORDERS AGAINST VIOLENT OFFENDERS ACT 2014

Is there another person associated with the offender (such as their friend or family member) who you want the non-contact order to apply to? Give us their details.

Full name _____

Do you know the person's current address?

Yes. Current address:

No. Please give us any information that might help us find the person's address
(such as an old address, their place of work, a friend or relative's contact details).

 **If you are adding more than one person, please attach extra pages with their name and address.**


I have attached extra pages.

Step 3 Tell us why you need a non-contact order

This step is called an 'affidavit'. An affidavit is written evidence, so you will need to swear or affirm that what you write is true. (To swear is to make a religious promise; to affirm is to make a non-religious promise.) You can do this with a registrar at your local District or High Court or with a justice of the peace or lawyer.

Who can make an affidavit?

An affidavit can be written by you or another person who can say why a non-contact order is needed and how you would be affected if you came into contact with the offender (or the other people named in step 2).

 *You can include more than one affidavit – just copy the following page as many times as you need it.
If you need more room, you can attach extra pages.*


Will the offender see this affidavit?

The affidavit will be seen by the offender and any other people you want the non-contact order to cover. This is why you only need to give us the place you live, not your full address.

Supporting documents

If you have any supporting documents ('exhibits'), they can be attached to this affidavit. An example would be a letter from a counsellor or doctor saying contact would stress you.

Take the original documents and copies with you when you go to swear or affirm your affidavit. The court registrar, justice of the peace or lawyer will check that the copy matches the original and sign the copy.

 *Attach the signed copy to your affidavit.*

Affidavit


Tell us who you are

Full name _____

Occupation (eg sales assistant, retired, student) _____

Place I live (eg Auckland) _____

Tell us why a non-contact order is needed. For example, tell us if the victim is dealing with the ongoing effects of the crime; if contact would make it harder for the victim to deal with the ongoing effects of the crime; if a non-contact order is needed to stop the offender (or people associated with them) from contacting the victim.

 Attach copies of any **documents** that support your statement. Label each document with a different letter. Tell us what you have attached (eg photos, a doctor's letter)

a. _____ b. _____

c. _____ d. _____

Signature _____

Sign here when you go to get this affidavit sworn/affirmed

Affirmation section: *to be filled in by a deputy registrar, registrar, lawyer or justice of the peace*

I am a Deputy/Registrar Lawyer Justice of the peace

Full name _____

Sworn/affirmed at (location) _____

I confirm that the applicant/proponent swears/affirms that what they say in this affidavit is true.

Signature

Date

Step 4 Sign and date the form

Signature

Date

Step 5 Do a quick check

Before sending in your application, check you have followed steps 1 and 2.

Check that step 3 is signed by both the person making the affidavit and a court official or justice of the peace.
Check that any supporting documents you've attached to the affidavit are clearly labelled.

If you have any questions, please email vovo@justice.govt.nz, call 0800 COURTS (0800 268 787),
or contact your local district court.

Step 6 Send in your application to your local district court

You can **hand in, post** or (scan and) **email** your application to your local district court. If you hand-in or post your application, please give us a copy for every person you want the non-contact order to cover (one copy for every person named in step 2).

Contact details for your local court can be found in the blue government pages at the front of the phonebook or at justice.govt.nz/services/finding-your-local-court

Tell us which district court you are sending your application to (such as Wellington District Court)

What happens next?

A registrar or judge will look at your application.

- If they don't accept your application you will be told why.
- If your 'on notice' application is accepted, you will be sent a letter with a hearing date. A hearing is a formal session with a judge. At the hearing you can say why you want a non-contact order and the offender will also get a chance to speak. You don't have to attend. If you have a lawyer, they can come with you or attend on your behalf. The judge will then decide if a non-contact order should be put in place.
- If your 'without notice' application is accepted, a judge will decide, without hearing from the offender, if a temporary (3 month) non-contact order should be put in place. You will be sent a letter with their decision.