



# The McKenzie Friend UK Network

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## The Non Molestation Order

This is a mock example of a Non-Molestation Order for information and training purposes only. Nothing constitutes legal advice.

## Non-Molestation Order

(Under Section 42 of the Family Law Act 1996)

In the Family Court of	
Case No	
Applicant	
Respondent	

To (Name of Respondent)

Of (Address of Respondent)

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**Important notice to the Respondent Mr xxxxxxxx xxxx date of birth xx/xx/xx**

**You must obey this order. You should read it carefully. If you do not understand anything in this order you should go to a solicitor, Legal Advice Centre, of Citizens Advice Bureau. You have the right to apply to change or cancel the order.**

**If, without reasonable excuse, you do anything which you are forbidden from doing by this order, you will be committing a criminal offence and liable on conviction to a term of imprisonment not exceeding five years or to a fine or to both.**

**Alternatively, if you do not obey this order, you will be guilty of contempt of court and may be sent to prison.**

On the xx/xx/xx District Judge xxxx, sitting at the Family Court at xxxxxxxxxxxx, considered an application for an order.

The Applicant was in attendance with their McKenzie Friend named xxxx a member of the McKenzie Friend UK Network.

The Respondent had no notice of the application.

The Court read the witness statement of the applicant.

This order is made in the absence of the Respondent. The court has considered only the evidence of the Applicant. The court has made no findings of fact. The court had regard to Section 45(1) and (2) of the Family Law Act 1996.

The court decided to make an Order without notice to the Respondent, having had regard to all the circumstances including:

- Any risk of significant harm to the Applicant or a relevant child, attributed to the conduct of the Respondent, if the Order is not made immediately.
- It is likely that the Applicant will be deterred or prevented from pursuing the application if an Order is not made immediately.

It is Ordered that:

1. The Respondent must not, whether acting on his/her own or jointly with another person:
  - a. use or threaten violence against the Applicant.
  - b. intimidate, harass, pester, threaten or verbally abuse the Applicant in any way.
  - c. send any threatening or abusive letters, e-mails, texts or voicemail messages to the Applicant.
  - d. make any threatening or abusive telephone calls to the Applicant.
  - e. destroy or damage, or threaten to destroy or damage any property owned by or in the possession and control of the Applicant.
  - f. Go to, enter or attempt to enter the home address of xxxxxxxxxx, and must not go within 100 metres of it.
  - g. Instruct, encourage or in any way suggest that any other person should do anything which the Respondent must not do by the terms of this order.
  
2. The non-molestation order shall be effective against the Respondent once he is made aware of the terms of the order whether by personal service or otherwise.
  
3. This Order remains in force until the matter is brought back to court at the next hearing.
  
4. The case will be heard by a District Judge.
  
5. The court will reconsider the application at a further hearing on the xx/xx/xx at xx am/pm. Estimated time for the hearing is 1 hr.
  
6. The next hearing will be held in person at the xxxxx Family Court. If any party does not attend the hearing, the court may make orders or final orders in their absence.
  
7. The following special measures shall be in place for the hearing: privacy screens will be used in court and the Applicant shall be provided with a separate waiting room. The Applicant may contact the court to request any further special measures to avoid coming into contact with the Respondent at the court.
  
8. The Respondent must send to the court and the Applicant any written evidence on which the Respondent intends to rely on at least 48 hours before the hearing.
  
9. This order must be personally served on the Respondent, The Applicant should not themselves attempt to serve the Respondent directly. In the event that the Applicant cannot arrange for a process server or effect service through a third party, the Applicant should apply for a bailiff service.

10. The statement of service must be sent to the court at least 48 hours prior to the next hearing.

11. The costs of the application are reserved.

Until further order

This order is made without notice to the respondent

Note to the Arresting Officer

Under Section 42A of the Family Law Act 1996 a breach of a non-molestation order is a criminal offence punishable by up to five years imprisonment. It is an arrestable offence and it is not necessary to obtain a warrant.

'A person who without reasonable excuse does anything that he is prohibited from doing by a non-molestation order is guilty of an offence.'

Family Law Act 1996, Section 42A(1)

[Please Watch the associated Vlog:](#)



The image is a YouTube video thumbnail. At the top, a yellow banner contains the text 'Family Court Support' in black, flanked by two stylized 'M' logos. Below this, the main image shows a cartoon character on the left, a man in a white shirt on the right, and a large white 'M' logo in the background. To the right of the main image is a green vertical banner with the 'MCKENZIE FRIEND UK NETWORK' logo (a blue shield with a white handshake) and the text 'Philip Kedge #lightnothate' in black. At the bottom, a black banner contains the text 'What Does a Non-Molestation Order Look Like?' in yellow, 'The Kick Ass McKenzie Friend' in white, and a red YouTube play button icon.