

## NON-MOLESTATION ORDER APPLICANT TOOLKIT Practical Overview (England & Wales) (For organisational guidance only – not legal advice)

### What Is a Non-Molestation Order?

A Non-Molestation Order (NMO) is a court order made under the Family Law Act 1996 to protect someone and/or their child from:

- Harassment
- Threats or intimidation
- Violence or abuse
- Unwanted contact
- Coercive or controlling behaviour

It is commonly used in domestic abuse situations.

Breaching a Non-Molestation Order is a criminal offence.

### Who Can Apply?

You can apply if the respondent is:

- A current or former spouse
- A partner or former partner
- A family member

- The parent of your child
- Someone you live with or have lived with

The court must be satisfied there is a need for protection.

### How Does the Application Start?

Applications are usually made using:

- **Form FL401**
- A supporting witness statement explaining incidents and risk

In urgent cases, the court may make an order **without notice** (ex parte), meaning the other party is not present initially.

The court considers:

- Evidence of harm or risk
- Whether protection is necessary
- The balance of harm test

### What Can the Order Include?

A Non-Molestation Order can:

- Prevent contact (calls, texts, social media)
- Prevent harassment or intimidation
- Prohibit approaching your home or workplace
- Protect children named in the order

The order usually lasts between **6–12 months**, but this varies.

### What Happens After It Is Granted?

- The order must be formally served on the respondent
- A return hearing may be listed
- The respondent can agree, contest, or seek variation

If the order is breached:

- The police can arrest
- Criminal proceedings may follow

### Practical Preparation Tips

If applying:

- ✓ Prepare a clear, chronological statement
- ✓ Include dates and specific incidents
- ✓ Focus on behaviour and risk
- ✓ Keep evidence (messages, photos, police logs)
- ✓ Remain factual rather than emotional

### Important Notes

- A Non-Molestation Order is separate from child arrangements
- It does not automatically stop child contact unless specified
- Breach is a criminal offence
- The court's priority is safety.