

- Consent given under fear is not consent.
- Only the police can lay a criminal charge.
- Only the Crown attorney can withdraw a criminal charge.
- EPOs and peace bonds are not criminal charges and are not monitored by police.

Can I contact the person who has harmed/threatened/stalked me if they are on a condition to not contact me?

If someone is ordered to not contact you, then you should not contact them. If you want to reunite or contact them, contact the court.

If I have an EPO or peace bond against my partner, can they still see our children?

You must tell the court if any custody arrangements are in place for your children. An EPO or peace bond may not affect your partner's visiting or access rights, but it may. You might want to talk with a lawyer. If you need assistance in finding a lawyer, you can contact Public Legal Information Association of Newfoundland and Labrador at **1-888-660-7788** or www.publiclegalinfo.com.

If you fear for your children's safety, you should contact the police and child protection immediately. You may be able to have visiting or access rights changed if you re-apply to the court. You should talk to a lawyer about this.

Victim Services

Contact Information

St. John's	709.729.0900
Carbonear	709.945.3019/3046
Marystown	709.279.3216
Clarenville	709.466.5808
Gander	709.256.1028/1070
Grand Falls-Windsor	709.292.4544/4548
Corner Brook	709.637.2614
Stephenville	709.643.6588/6618
Port Saunders	709.861.2147
Happy Valley-Goose Bay	709.896.0446/3251
Nain	709.922.2360

Provincial Court Contacts

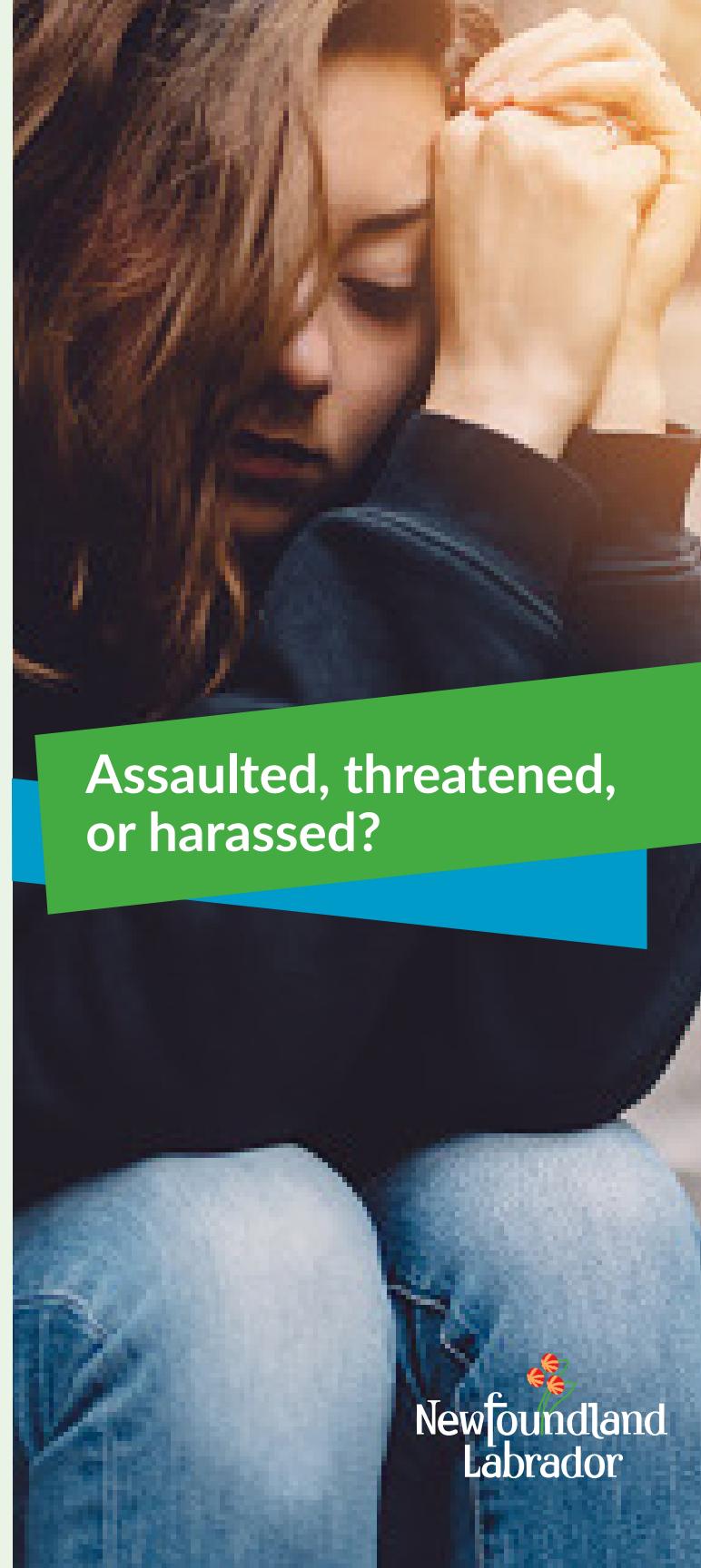
St. John's	709.729.1004
Harbour Grace	709.596.6141
Clarenville	709.466.2635
Grand Bank	709.832.1450
Gander	709.256.1100
Grand Falls-Windsor	709.292.4212
Corner Brook	709.637.2323
Stephenville	709.643.2966
Happy Valley-Goose Bay	709.896.7870
Wabush	709.282.6617

or contact: www.court.nl.ca

Victim Services Program

Department of Justice and Public Safety
 P.O. Box 8700
 St. John's, NL A1B 4J6
 709.729.7970
victimservices@gov.nl.ca
victimserviceshelp.ca

Available in alternate format.
 Produced in consultation with Women's Policy Office.



**Assaulted, threatened,
or harassed?**

Physical assault, sexual assault, harassment, and uttering threats are criminal actions. They are not your fault.

If you are a victim, you have the right to make a complaint to the police.

No one has the right to harm or intimidate you or your family.

No one has the right to cause you to live in fear.

What are my options?

File a Police Report

You can contact police and tell them what happened and who was involved. Keep a record of any incidents, including date, time and witnesses.

The police will investigate the complaint. They will decide if there is enough information or evidence to lay a criminal charge. If the person who is abusing or stalking you is charged, they could be ordered not to contact you. When charged they are called the accused.

Once charges are laid, the case is passed to a Crown attorney who will review the information to determine if the case should go to court. The Crown attorney makes this decision by looking at how much evidence there is and whether there is enough evidence to convict the accused. The Crown attorney is not your lawyer.

What will happen if the case goes to court?

The court process can be difficult. You may be expected to testify and tell the judge what happened. In some cases, you could have to testify more than once, and the accused is usually present.

For all these reasons, it is important to bring someone to court with you for support. You can ask a friend or family member to go with you, or, you can contact Victim Services. (www.victimserviceshelp.ca)

The judge will listen to the evidence and decide if the accused is guilty or not guilty.

If the accused is found guilty, they may be sentenced right away or at a later date. The sentence could range from a discharge, to a fine, to probation, to spending time in jail.

If the accused is found not guilty, there will no longer be any conditions. There may be an appeal of the decision, which will be decided by the Crown.

Apply for an Emergency Protection Order

An emergency protection order (EPO) is a provincial court order that a judge can grant in **urgent** situations to provide immediate protection if you are being abused or threatened by your partner/former partner. The judge may place the person committing or threatening the violence (the respondent) on conditions such as to not contact you, or remain away from your home or place of work.

An EPO can be ordered for up to 90 days, however, a judge could order it for a shorter period. An EPO cannot be renewed or extended, so it is important to make longer term plans for your safety.

How do I apply for an EPO?

You can obtain the application for an EPO at provincial court or on their website www.court.nl.ca. A police officer or lawyer can also apply on your behalf.

Apply for a Peace Bond

A peace bond is a provincial court order that places a person (the defendant) on conditions in an attempt to prevent harm to you and/or your family or property.

How do I apply for a peace bond?

You can obtain the application at provincial court or on their website www.court.nl.ca. In the application, you will have to give information about what the person is doing to scare you.

You and the defendant will have to appear in court, possibly more than once. It can take weeks or months to get a peace bond. A judge will decide if a peace bond will be ordered. The maximum amount of time a peace bond can be ordered is 12 months. The judge decides how long the peace bond will be in place.

Does an EPO or peace bond replace a criminal charge?

No. If an EPO is ordered, the police will receive a copy of the order and your application. If the police have evidence that a crime has taken place, they may still lay charges.

If your application for a peace bond indicates that a crime has taken place, you will be encouraged to also file a police report.

A criminal investigation, criminal charges, and an application for an EPO or peace bond could occur at the same time.

