

**Chapter 36: Guidance on answering the self-test questions**

**Question 1: You represent Pamina who has been severely assaulted by her husband. She is extremely concerned that if her husband has notice of the proceedings, she will be assaulted again. You advise that she has the grounds to apply for a non- molestation and occupation order without notice. Describe the procedure required to obtain an order without notice.**

A Form FL401 is completed as well as a statement to support the application. The applicant should attend the court, having first contacted the court to ensure that a judge or Magistrates are available.

The court will hear the application for the without notice order and the applicant may have to give evidence (although this is unusual). If the court is satisfied that an order should be granted, an order is drawn up and sealed by the court. The order must then be served personally on the respondent. It may also have to be served on a local police station (if there is a power of arrest). The court will also set a 'return date' when the case will be heard with all parties present.