

## CASE STUDY – HARASSMENT ACT 1997

Alice and Bryan had worked together briefly in 1999. While working together, Bryan made several requests for “a date” which were all rebuffed by Alice. Alice left her job because she felt uncomfortable around Bryan. After leaving, she was still harassed by Bryan. Bryan had twice been found loitering around Alice’s house and was warned to stay away. Bryan made phone calls to Alice when she was at home alone and also lurked around the community in places that he knew Alice went to. Alice recently moved from her parents’ address. She does not want Bryan to know her new address and wishes to stop Bryan from having any contact with her.

### HARASSMENT - THE LAW

Community Law Centres will have information about harassment. Harassment is defined in the Harassment Act 1997 as:

- “a **PATTERN OF BEHAVIOUR** that is directed against [another] person, being a pattern of behaviour that includes doing any **SPECIFIED ACT** to the other person on at least **2 SEPARATE OCCASIONS WITHIN** a period of **12 MONTHS.**”
- “**SPECIFIED ACT**” is defined as including:
  - (a) **Watching, loitering near, or preventing or hindering access** to or from, that person's place of residence, business, employment, or any other place that the person frequents for any purpose:
  - (b) **Following, stopping, or accosting** that person:
  - (c) **Entering, or interfering with, property** in that person's possession:
  - (d) **Making contact** with that person (whether **by telephone, correspondence, or in any other way**):
  - (e) **Giving offensive material** to that person, or leaving it where it will be found by, given to, or brought to the attention of, that person

### WHAT CAN ALICE DO ?

Bryan’s behaviour fits under the above definition of harassment in that:

- it is a pattern of behaviour (i.e. it has happened at least twice within the last 12 months) and;
- the behavior includes specified acts (ie. Bryan has followed Alice in public, he has made contact with Alice by telephone and he has loitered around her house.)

**This means Alice can make an application for a RESTRAINING ORDER (see Appendix 1) against Bryan under the Harassment Act.**

**The Court can grant a restraining order if it is satisfied that:**

- (1) **Bryan has harassed Alice;** and
- (2) Bryan's harassment **has distressed Alice or threatens to distress Alice;**  
and
- (3) It is **reasonable that Alice has felt distressed** by Bryan's behaviour, **and**  
that most **reasonable people would feel upset** by the behaviour; and
- (4) That the level of **distress Alice has suffered justifies making a**  
**restraining order;** and
- (5) A **restraining order is necessary to protect Alice** from further  
harassment.

**Note: If Alice was in a “domestic relationship” with Bryan she could not apply for a restraining order. She would instead apply to the Family Court for a PROTECTION ORDER under the Domestic Violence Act.**

## **APPLYING FOR A RESTRAINING ORDER**

- Alice decides to apply for a restraining order. Her local Community Law Centre gives Alice the necessary forms to make this application. These forms need to be filed in the local District Court. The forms are:
  - an Application for a Restraining Order,
  - a Notice of Proceeding, and
  - an Affidavit.
- The **application** for a restraining order gets Alice's application into the District Court system **so that a hearing time can be set.**
- The District Court will send **the Notice of Proceeding** to Bryan so that he has **official notice that Alice is applying for a restraining order** against him.
- The **Affidavit** is Alice's **sworn evidence** that supports her allegations that Bryan has been harassing her.

### **STEP ONE - APPLICATION FOR A RESTRAINING ORDER:**

Alice completes the details on the Application for a Restraining Order:

**APPLICATION FOR RESTRAINING ORDER**

**Form 40A**

**(1) In the District Court  
at Porirua**

**No.**

**HARASSMENT ACT 1997**

Alice Person, Student of Porirua

**Applicant (2)**

Bryan Toms, Unemployed of 4 The Road, Titahi Bay

**Respondent (3)**

I, Alice Person, apply for a restraining order against Bryan Toms, the respondent.

The proposed duration of the order sought is a period of two years (4)

I also ask that the Respondent be prevented from joining or going near the Titahi Bay Squash club. (5)

**Affidavit in Support (6)**

I rely on the Affidavit dated 12 December 2000 filed in support of this application .

Alice Person

Applicant

12/12/2000

Date

**Date of hearing (7)**

*(to be completed by the Registrar)*

I appoint .....at ..... a.m. (p.m.) at the District Court at .....  
for the hearing of this application.

.....

Registrar

Here Alice fills in the name of her local District Court which will hear the application.

## **(2) Applicant Details**

Here Alice fills in her name and her address and occupation. If the applicant does not wish their address details to be on this form, the District Courts Rules provide for this information to be left out.

### Tips:

- (i) If she does leave out her address details, Alice should give the District Court Registrar a letter stating that she wants her address to be confidential but giving an address where the District Court can contact her. This is important because the District Court will need to contact Alice.

## **(3) Respondent Details**

Here Alice fills in Bryan's name and address (if she has these). The District Court needs Bryan's address so that they can advise him about the hearing time, and send him documents.

### Tips:

- (i) If Alice did not have Bryan's address she could ask her ex-employer for his address details. Normally an employer will not release employee details, but under the Privacy Act 1993, Privacy Principle 11 (e)(iv), an employer may release employee details for the conduct of proceedings before any court or tribunal.
- (ii) Alice should show her employer her Application for Restraining Order and Notice of Proceeding forms as evidence that she does require the information for court proceedings.
- (iii) If Alice didn't have an employment connection with Bryan, she could contact her local Community Constable to get Bryan's address. Under the Harassment Act, the Community Constable may get the harasser's address and release such details to a local District Court Registrar who can then give them to Alice.

## **(4) Duration**

Here Alice fills out how long she would like the restraining order to be in place. The court will consider this and decide what length of time is appropriate. Under the Harassment Act, a court may make any of the following decisions in relation to the duration of the order:

- a) A fixed period that the court has decided; or
- b) for one year after the date that the order began; or
- c) until the respondent (Bryan) applies to the court under the Harassment Act for the order to be discharged and the court discharges it

**(5) Request for Special Conditions**

Here Alice sets out any special conditions, such as the fact that she does not want Bryan to go near the squash club that she belongs to.

**(6) Affidavit in support**

Alice fills out the date of the Affidavit to accompany her application. Alice also signs the application for Restraining Order and dates the application.

**(7) “Date of Hearing”**

The Court Registrar will fill this out when giving a date for hearing the application.

**STEP TWO – NOTICE OF PROCEEDING:**

Alice fills out the “Notice of Proceeding”. The District Court will send the “Notice of Proceeding” to Bryan so that he knows Alice is making an application for a restraining order and has an opportunity to file a Notice of Defence. The Notice sets out Bryan’s (the respondent’s) rights and obligations.

- (1) Alice fills in the District Court, Applicant and Respondent details as she did on the Application for a Restraining Order.

**(2) Applicant and Applicant’s Solicitor**

Alice signs on the dotted line above the words “Applicant/or Solicitor” and fills out the date. If Alice had a Solicitor they would sign here on her behalf.

**NOTICE OF PROCEEDING**

**In the District Court  
at Porirua (1)**

No.....

**HARASSMENT ACT 1997**

Alice Person, Student of Porirua  
**Applicant**

Bryan Toms, Unemployed of 4 The Road, Titahi Bay  
**Respondent**

To: Bryan Toms

**Notification of application for restraining order**

Alice Person has filed an application for a restraining order against you the above named respondent.

A copy of the application is attached. The nature of the order or orders sought is specified in the application which also states the date of the hearing.

The applicant's address for service is: Refer to Porirua District Court

(2) Alice Person  
Applicant/  
Applicant's Solicitor

12/12/2000

**Date**

**GENERAL INFORMATION****Notice of Defence**

If you wish to defend the application you may file a notice of defence in the office of this Court at least 5 clear days before the date of the hearing. An Affidavit must be filed with the notice of defence. A copy of the defence must be served on the other party. That copy may be delivered to the address for service given by that person.

If you do nothing, the hearing may proceed and the Court can make an order in your absence.

**Address for Service**

If you do not wish to defend the application but you wish to know what is happening you should-

- (a) File in this office of the Court a notice giving the address of a place in New Zealand at which documents can be left for you;and
- (b) Serve a copy of the notice on the other party to the proceeding. That copy may be delivered to the address for service given by that person.

**Advice**

If you need help, consult a lawyer or contact a District Court Office immediately. The office of the District Court is open from 9am to 5pm on Mondays to Fridays.

**STEP THREE – AFFIDAVIT (OR AFFIRMATION) IN SUPPORT:**

Alice completes an Affidavit or an affirmation in support of her application for a restraining order under the Harassment Act. An affirmation is used where the person making the statement will not swear their statement on the bible for religious or philosophical reasons.

**An Affidavit or affirmation is Alice’s sworn statement used as evidence of Bryan’s harassment.** Alice must make an Affidavit or affirmation in support of her application for a restraining order so the court has Alice’s account of what happened.

- Swearing to an Affidavit or making the affirmation involves **stating that the contents of the statement are true and correct**, and signing it, **in front of a Solicitor, JP or District Court Registrar**. If an Affidavit is made you are required to hold a bible in your hand while swearing the truth of the contents.
- The penalty for making a false statement is found in the Crimes Act 1961, section 110, which provides for a period of imprisonment not exceeding five years. **So it is important that the details on the Affidavit are true and accurate.**
- There is no set form to complete for an Affidavit/affirmation, as it is created by the person who signs it. An Affidavit generally resembles the example Affidavit that follows. Your local Community Law Centre can help you with your Affidavit.
- A JP can be found by looking in the Yellow Pages under Justices of the Peace.

An Affidavit can be created by using the example below as a guideline:

- (1) These details are the same as those shown on the Application for a Restraining Order, and Notice of Proceeding.
- (2) Under the heading Alice puts her full name, after the word “I”, and her town, occupation, and “**swears**” the fact that she is swearing or affirming the evidence of Bryan’s harassment which she details under **part (3)**.
- (3) Alice then completes the Affidavit preferably in numbered paragraphs setting out the reasons why the Court should grant the restraining order. This should be in the order of time that the events occurred, from the first example, to the most recent example of harassment. This gives the Court an idea of how the conduct progressed over the period of their association. The last point on Alice’s Affidavit is that she wants the harassment to stop.
- (4) Alice must then swear on the bible and sign the statement in front of a lawyer, JP or Court Registrar. This service is provided free. If Alice were completing an affirmation she would simply affirm and sign her statement of evidence in front of a lawyer, JP, or Court Registrar without swearing on the bible.

**AFFIDAVIT IN SUPPORT OF RESTRAINING ORDER**

**(1) In the District Court  
at Porirua**

**HARASSMENT ACT 1997**

**Applicant**

Alice Person, Student of Porirua

**Respondent**

Bryan Toms, Unemployed of 4 The Road, Titahi Bay

**(2)** I, ALICE PERSON Student of Titahi Bay swear :

**(3)**

**1.** I am the applicant in these proceedings.

**2.** THE respondent and I were co-workers at McDonalds Porirua for three months in late 1999.

**Grounds for Order**

**3.** WHILE working together the Respondent asked me out on several occasions and made a number of uninvited advances to me. I made it clear to him that I didn't want a relationship with him.

**4.** AS a result of his continued advances I decided to leave my job.

**5.** AFTER I left McDonalds the Respondent kept phoning me. I told him I didn't want to speak to him and asked my mother to tell him not to keep calling.

**6.** THE respondent began to hang around my house and around the local squash club where he knew I was a member. When I asked him why he was at the club he told me he was thinking of joining.

**7.** DESPITE the fact he has been warned to stay away from me by the community constable he is still attempting to make contact with me. I am not happy to have him hassling me and I want this harassment to stop.

SWORN at Porirua )  
this 12th day of December )  
2000 before me: )

**(4)**

Alice Person

Gwenda Gek JP.  
Porirua

## **STEP FOUR – FILING AT THE COURT:**

Alice takes two copies of:

- the Application for Restraining Order;
- Notice of Proceeding; and
- Affidavit

to her local District Court.

### **What Happens Next?:**

- Alice’s local District Court will send the Notice of Proceeding to Bryan (the respondent).
- When Alice gives these documents to her local District Court they will also give Alice **a hearing date** and tell her which courtroom the hearing will be in. If a hearing date can’t be given straight away the District Court will write to Alice giving her a hearing date.
- **It is very important to turn up at Court on the hearing date, and on time.** If you are late or do not turn up on the hearing date you must make another application for restraining order, notice of proceeding and Affidavit and be given another hearing date. You should bring all documents that may be helpful to the Judge during the hearing.
- If the Judge makes a restraining order against Bryan at the hearing the following **people will be given copies of the restraining order:**
  - Alice (the applicant);
  - a Court Bailiff will give Bryan (the respondent) a copy;
  - Alice’s local police station.

**For more information about complying with the restraining order see page 16.**

## **STEP FIVE – AT THE COURT HEARING – WITH BRYAN DEFENDING THE APPLICATION FOR RESTRAINING ORDER:**

### **1) When the Judge Enters the Court**

The Court Registrar will announce that the Court is in session **when the Judge enters the room** and that **everyone must stand**. The Judge bows and then everyone in the court sits down. The Court Registrar will then announce the first case. **Alice and Bryan will both be seated in the public gallery at the back of the Court**

*Tip:*

Ask a court attendant or enquire at the public counter of the District Court if you are not sure where the court room is or where you can sit in the court room.

## 2) Opening Statement

**Once her name is called, Alice stands and moves to the bar\*** to identify that she is present. She could then make a statement to outline why she is there and what she wants the Judge to grant her. In this statement **Alice will outline why she is making an application under the Harassment Act for a restraining order.** Bryan or his lawyer will then stand up and give the respondent's opening statement.

\* The bar is where lawyers stand when addressing the court and the Judge. If Alice or Bryan are representing themselves (appearing in court without a lawyer) then the Judge or a court attendant will indicate where the "bar" is. **Ask the Judge or a court attendant if you are not sure about where to stand when addressing the Judge.**

## 3) Giving evidence of the harassment (evidence in chief)

**Alice will then call any witnesses**, which will usually include Alice herself. **Alice goes to the "witness box" and sits down. The Judge will then ask Alice to give her evidence** to the court (based on her Affidavit that she prepared and filed in the court) and any other evidence of Bryan's harassment.

**Alice gives her evidence and answers any questions that the Judge asks her.** Once the Judge has finished asking Alice questions **Bryan or his lawyer may then cross-examine her.**

## 4) Cross-examination

Bryan or his lawyer **stands up and cross-examines (questions) Alice** about the evidence she gave in her Affidavit or any other matter connected with the case. Once Bryan has finished questioning Alice, he will tell the Judge that they have no further questions.

## 5) Re-examination

The Judge may then ask Alice some questions if the Judge wants to clarify anything that was raised in cross examination.

**The Judge will then announce that "the witness may be excused" which means that Alice can leave the "witness box" and return to her seat.**

## 6) Evidence from other witnesses

Once Alice has given her evidence and been cross-examined and re-examined, **then she can call any other witnesses who are going to give evidence to support her case.** This will happen in the same way that Alice gave evidence, ie. by answering questions which Alice or the Judge asks. These witnesses may also be cross-examined by Bryan or his lawyer and possibly re-examined by Alice or the Judge. After all the witnesses have been questioned Alice should tell the Judge she has no further witnesses.

### **7) The case for the Respondent (Bryan)**

Bryan or his lawyer will then stand up and call the respondent's first witness. **The Judge (if Bryan is representing himself) or Bryan's lawyer will then go through the same process of questioning the witnesses as outlined above.** Alice may also cross-examine Bryan's witnesses.

### **8) Summing up the case**

After the respondent's evidence is finished Alice can then sum up her case by stating why a restraining order should be made against Bryan based on the evidence she and other witnesses have given about Bryan harassing her **and her understanding of the law in this area.**

Bryan or his lawyer will also sum up Bryan's case by stating why a restraining order should not be made or suggesting any changes to the special conditions Alice wanted should the order be granted.

### **9) The Judge's Decision**

In some instances the Judge may immediately announce the decision without leaving the Court. The Judge also has the option of "reserving" their decision and informing the parties at a later date.

## **WHAT MUST BRYAN DO TO DEFEND ALICE'S APPLICATION FOR RESTRAINING ORDER?**

**Before the hearing date Bryan must follow the steps below** so that he has given Alice, and the court, notice of his intention to defend the application. He must give notice because it will make a difference to what happens during the hearing.

### **STEP ONE – NOTICE OF DEFENCE**

**The details given in the Notice of Defence are the same as the details given in the Notice of Proceeding Alice filed.** See below:

#### **(1) Applicant Details**

Here Bryan fills in his name, address and occupation details and that he is the respondent.

**(2) Affidavit in support**

Here Bryan fills in the date that he made his supporting Affidavit.

**(3) Signature**

Bryan signs and dates the Notice of Defence above the dotted lines.

**(4) Sending the Notice of Defence**

Bryan sends copies of the Notice of Defence at least 10 days before the hearing to:

- (a) the Registrar of the District Court where the hearing will be held (he gets this information off the Notice of Proceeding which the applicant;
- (b) the Applicant (he gets her address for service of documents off the Notice of Proceeding);

**(5) Notice Filed By**

The Respondent fills out his/her name and address so that the District Court can contact him/her if they need to.

**NOTICE OF DEFENCE TO APPLICATION FOR A RESTRAINING ORDER**

**IN THE DISTRICT COURT  
AT PORIRUA**

**NO.**

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**HARASSMENT ACT 1997**

**STEP TWO – AFFIDAVIT (AFFIRMATION) IN SUPPORT:**

This is Bryan's sworn statement of his version of events in which he can dispute facts alleged by Alice as to whether harassment has occurred.

Bryan completes the Affidavit in the same way Alice completed her Affidavit (see example on page 8 below) but setting out the grounds on which his defence is based, either that he disputes that he has harassed Alice, or that he disputes the special conditions.

**Remember, any false statements made in an Affidavit/affirmation could result in a criminal conviction under section 110 of the Crimes Act 1961.**

**AFFIDAVIT IN SUPPORT OF NOTICE OF DEFENCE TO APPLICATION FOR RESTRAINING ORDER**

**In the District Court  
at Porirua (1)**

**No.**

**HARASSMENT ACT 1997**

**Applicant**

Alice Person, Student of Porirua

**Respondent**

Bryan Toms, Unemployed of 4 The Road, Titahi Bay

(2) I, BRYAN TOMS Unemployed of Titahi Bay swear :

- 1. I am the respondent in these proceedings.
- 2. THE applicant and I were co-workers for three months in late 1999.

**Grounds for defending Application for Restraining Order**

- 3. WHILE working together the respondent and I became friends and I asked the respondent out on several occasions but she did not want any romantic connection although she remained friends with me. I asked her out more than once but in a respectful fashion.
- 4. WHEN I asked the applicant out she did not appear afraid or annoyed, and usually said she wouldn't come out with me but laughed it off in a friendly fashion. Although she told me not to bother asking her again because she told me this in a friendly way I was not aware that she was upset by me asking her out.
- 5. THE applicant left her job and I made contact with her by phoning her and calling at her house. The applicant again laughed this off in a friendly fashion and often chatted with me as a friend. I did not always phone her to ask her out, we had conversations as friends during which I did not ask her out and the applicant was happy to speak to me.
- 6. AT no time did I cause the applicant to have grounds for fear or discomfort. I was always polite and because we had been friends I thought it was okay to contact her, I was unaware that she was uncomfortable with me contacting her. I had believed it was okay to continue asking her out because we were friends and she had merely laughed off my invitations.
- 7. I now accept that I should not make any further contact with the applicant but I dispute the special conditions on the Application for Restraining Order that I not go to the local squash club which I want to join. The squash club is convenient to where I live and I was going to the squash club to play squash, not so that I could contact the applicant.

**SWORN** at Porirua ) (3)  
 this 1st day of January )  
 2001 before me: ) Bryan Toms

Gwenda Gek JP.  
 Porirua

## THINGS THE PARTIES NEED TO KNOW

### MUST LAWYERS REPRESENT (SPEAK FOR) ALICE AND BRYAN?

- As outlined above on pages 9 to 11, either Alice or Bryan may appear in Court without a lawyer to represent them (speak for them).
- If either Alice or Bryan choose to appear in court without a lawyer then they should follow the same procedure outlined above on pages 8 to 10 for giving evidence and cross-examining witnesses about evidence given.
- The Judge would most likely assist them in the procedure they should follow. The Judge may choose to conduct examination in chief and cross-examination of witnesses himself/herself.
- If appearing without a lawyer to represent you, follow the Judge's guidance or ask the Judge or Court Registrar if you are unsure about what you should do.
- You must address the Judge as "your Honour" or "Sir" or "M'am". **Always treat the Judge and other people in Court with respect.**

### COSTS

- There are **no Court fees** in making an application for proceedings under the Harassment Act.
- If you have a lawyer representing you (ie. speaking for you, doing other work on your behalf), that lawyer may charge you for their services.

Tip:

You may be eligible for legal aid to assist you in paying these fees. You should talk to your lawyer about civil legal aid when you first meet with them. **Civil legal aid is generally in the nature of a loan which will have to repaid to the Legal Services Board.**

- Your lawyer can apply to the Court for costs. This means that they are applying for an order that the respondent pays either:
  - A portion of your lawyer's fees; and/or
  - any other costs that you have incurred in trying to obtain a restraining order
- **The costs you may recover can vary**, as the Court has a choice about the total amount of costs that are awarded against any party. That means that even if you are successful in getting a restraining order, you may still have to pay a large part of your lawyer's fees.

**NOTE:**

**If your application is unsuccessful, then the respondent may apply for costs against you !**

## **ENFORCEMENT OF THE RESTRAINING ORDER**

- If the Judge makes a restraining order against Bryan at the hearing, the following people will be given copies of the restraining order:
  - Alice (the applicant);
  - Bryan (the respondent) a copy;
  - Alice's local police station.
- **The respondent must comply with the restraining order and any conditions on the restraining order.**
- Section 25 of the Harassment Act 1997 applies if a restraining order or any condition of a restraining order is broken.
  - The general part of the restraining order would be broken if, for instance, Bryan kept ringing Alice.
  - The conditions of the restraining order would be broken if, for instance, Bryan went to the local squash club when the restraining order had a special condition that he not go to the squash club.
- Section 25 of the Harassment Act 1997 provides that any person who breaks a restraining order or a condition of a restraining order is liable:
  - to imprisonment for a term of up to 6 months; or
  - a fine of up to \$5,000.
- But if a person has been convicted of breaching a restraining order or a condition of a restraining order and is again convicted for breaching a restraining order within three years, **then that person may be imprisoned for up to two years.**

## **HOW LONG DOES A RESTRAINING ORDER REMAIN IN PLACE?**

A restraining order continues until either:

- the end of the period that the Court specified on the restraining order; or
- if the Court did not specify a period for the restraining order, it expires one year from the date the restraining order was made; or

- until the Court discharges the restraining order after the applicant or respondent has made an application for discharge under section 23 of the Harassment Act.

## APPENDIX 1

### Restraining Order

- An application for restraining order may be made under section 9 of the Harassment Act 1997 if the harassment fits the definition of harassment given in the Act.
- Section 9 provides:
  - (1) **Subject to subsection (4), any person who is being or has been harassed by another person may apply to the Court for a restraining order in respect of that other person.**
  - (2) If the person who is eligible to apply for a restraining order is a child, the application must be made by a representative in accordance with section 11(2).
  - (3) If the person who is eligible to apply for a restraining order is unable or unwilling, in the circumstances specified in section 13(1)(b), to make the application personally, a representative appointed in accordance with section 13 may make an application on that person's behalf.
  - (4) **(4) A person who is or has been in a domestic relationship with another person may not apply under this Act for a restraining order in respect of that other person.**
  - (5) **For the purposes of subsection (4), "domestic relationship" has the same meaning as it has in the Domestic Violence Act 1995.**

Cf 1995, No 86, s 7

## APPENDIX 2

### What is defined as a "Domestic Relationship"

- If Alice was in a "domestic relationship" with Bryan she could not make an application for a restraining order under the Harassment Act (see section 9(4) of the Harassment Act). In the Harassment Act "domestic relationship" is given the same meaning that is given to "domestic relationship" in the Domestic Violence Act 1995, that is;

**a person is in a domestic relationship with another person if the person—**

- (a) **Is a partner of the other person; or**

- (b) Is a family member\* of the other person; or**
- (c) Ordinarily shares a household\*\* with the other person; or**
- (d) Has a close personal relationship with the other person.**

\* ``Family member", in relation to a person, means—

- (a) Any other person who is or has been related to the person by blood, marriage, or adoption:
- (b) Any other person who is a member of the person's whanau or other culturally recognised family group
- (c) In the case of partners who are not legally married, any other person who would be a family member of that person under paragraph (a) or paragraph (b) if the partners were, or were able to be, married to each other:

\*\* but if the person is sharing a household with a landlord or tenant; or an employer or employee then they are not regarded as “sharing a household” under sub-paragraph (c).

- If Alice was in a domestic relationship with Bryan as outlined above she would have to make another application for protection, such as under the Domestic Violence Act. Your local Community Law Centre can give advice about what would be most appropriate.