

Did you know?

Revised
August 2013

PEACE BONDS & FAMILY LAW PROTECTION ORDERS

A peace bond is an order made by a judge that sets out conditions which one person must obey to protect the safety of others or property. It is often used in cases of family violence. Conditions can include a no contact order where the partner or spouse is not allowed to call, contact or visit the person(s) protected by the order. Often the offending partner will not be allowed to be in the area near the family home or the workplace of the one who has made the complaint. Only the judge can make changes to a peace bond. It is a criminal offence for the offending partner to disobey the peace bond.

How do I get a peace bond?

Contact the police if you feel you need protection. If there are sufficient grounds the Crown Counsel (the Prosecutor) will prepare a document called an Information. You will have to appear before a Justice of the Peace (J.P.) to explain your situation and sign the Information. If you are in immediate danger, explain that to the J.P., because the offending person can be arrested and terms can be made which will stop the person from contacting you until the hearing. When the offending partner appears before a judge he/she can agree to the conditions asked for and the peace bond will be ordered. If he/she does not agree, the matter will go to a hearing and a Judge will decide if there is enough evidence for a peace bond. You do not need a lawyer because the Crown Counsel will attend the hearing and request the Judge, on your behalf, to order a peace bond.

What if the offending person doesn't obey the peace bond?

Call the police and show them a copy of the peace bond. The police and Crown Counsel will arrange for criminal charges to be brought against the offending person. A peace bond does not give someone a criminal record. If the peace bond is not obeyed, however, and the person is convicted of this, there will be a criminal record.

What is a Family Law Protection Order?

A Family Law protection order (a restraining order), is very similar to a peace bond. It is a protection order made under the BC *Family Law Act*. It is usually made in connection with a child guardianship or separation action in Family Court or Supreme Court. You must be: **1)** married or, **2)** have lived with your partner for at least 2 years or, **3)** be a parent of child who is involved in the proceeding. Family Law duty counsel at the Provincial Courthouse may be able to help you get a protection order. If the person disobeys the order he/she can be arrested and charged with breaking the order.

What is the Protection Order Registry?

It is a confidential computer database of protection orders issued by the B.C. Courts. The police can access the Registry in the course of their duties at any time to find up-to-date information on your peace bond or protection order.

**For more information, call the toll-free
VictimLink Information Line:
1-800-563-0808**