

What should you generally be aware of when it comes to your safety?

- Notify the police using the emergency police number 133 if you find yourself in a dangerous situation.
- Take pictures of any injuries and document the incident (as well as earlier attacks).
- Visit a doctor if you are injured.
- Note down the names and addresses of witnesses.

How can the Centre for Protection Against Violence help?

- Finding ways out of violence
- Psychosocial support
- Crisis intervention
- Creating assessments of danger and personal safety plans
- Legal advice
- Support for the affected children
- Application for an interim injunction
- Reporting incidents
- Contact with the authorities
- Psychosocial and legal support throughout the process for victims of violent offences



All services are confidential and free of charge.

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The Lower Austria Centre for Protection Against Violence provides comprehensive advice free of charge. You receive psychosocial support and legal advice. Centres for Protection Against Violence are victim protection organisations that support people who are experiencing domestic or sexual violence or stalking.

Lower Austria Centre for Protection Against Violence St. Pölten

Riemerplatz 1/DG – 3100 St. Pölten
tel: 02742 / 31 966; fax: 02742 / 31 966-6
Opening hours: Mon, Tue, Thu, Fri 9 a.m. – 5 p.m.,
Wed 2 p.m. – 5 p.m.

Wiener Neustadt

Zehnergasse 1, E05 – 2700 Wr. Neustadt
tel: 02622 / 24 300; fax: 02622 / 24 300-6
Opening hours: Mon, Thu, Fri 9 a.m. – 2 p.m.,
Tue 2 p.m. – 4 p.m.

Zwettl

Landstraße 42/1 – 3910 Zwettl
tel: 02822 / 53 003; fax: 02822 / 53 155
Opening hours: Mon, Thu, Fri 8 a.m. – 12 p.m.,
Tue 2 p.m. – 4 p.m.

Availability by e-mail:

office.noe@gewaltschutzzentrum.at

**All locations can be reached by telephone on
Thu from 5 p.m. to 8 p.m. at 02742 / 31 966**

You can also find us and the addresses of our branch offices on the internet at:

www.gewaltschutzzentrum.at

On behalf of: Bundeskanzleramt Bundesministerium Inneres

Funded by: Bundesministerium Justiz



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Interim injunction

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Restraining order

(Betretungs- und Annährungsverbot)

Police protection from violence according to Art. 38a Security Police Act

What can I do if I am affected by violence?

Violence doesn't start only when somebody hits you. In an emergency, call the emergency police number 133 immediately.

The Centre for Protection Against Violence is here to support you and your children. Don't hesitate – reach out for advice.

When is a restraining order issued?

If you are being hit, feel threatened or an attack is imminent, the police can impose a restraining order against the person carrying out the violence; this order is valid for the apartment you live in. It does not matter who the apartment or house belongs to. The restraining order applies to the people that the police determine to be in danger and covers a radius of 100 metres.

How long does a restraining order provide protection for?

The restraining order is valid for two weeks. The police take the apartment keys from the person carrying out the violence. He or she may only take everyday personal belongings with them (such as cash, personal documents, clothing, work equipment, ...).

The person who has been ordered to stay away is no longer permitted to return to the apartment or house without being accompanied by the police, even with your consent.

What to do if the person carrying out the violence violates the restraining order?

Notify the police immediately! The police must remove the person carrying out the violence from the property or order them again to stay away, and may impose a fine. In the event of multiple violations of the ban, the person concerned may also be arrested.

What are the consequences of a restraining order?

The restraining order is a ban issued by the police. It does not create a criminal record for those subject to the restraining order. However, if you and/or your children have been injured or threatened, this will be reported.

The Lower Austria Centre for Protection Against Violence (Gewaltschutzzentrum Niederösterreich) is informed about a restraining order so that it can provide those affected with free support and advice. If children are living in the household, the police will also inform the child and youth welfare services. If a restraining order has also been issued to protect the children or adolescents, the police will also inform the people who regularly take care of the children (e.g. childminders).

Is it possible to extend the protection?

If you submit an application to the district court to issue an interim injunction within the two-week protection period, the restraining order will be extended to a maximum of 4 weeks.

Interim injunction

(Einstweilige Verfügung)

Judicial protection from violence according to Art. 382b, c Enforcement Act

What is an interim injunction?

The court may decide that the person carrying out the violence may not enter the apartment or house for up to six months. He or she may be prohibited from contacting you or setting foot in your place of work or the children's school for up to one year.

When can I apply for an interim injunction?

If living with or encountering the person carrying out the violence is unacceptable for you, for example due to prior threats or physical violence. The prerequisite is that you urgently need to live in the apartment. The ownership rights are irrelevant. To apply for an interim injunction, it is not necessary for the police to have been previously involved. A restraining order does not need to be in place.

Where and how do I apply for an interim injunction?

The application must be submitted to the district court responsible for your place of residence. The employees at the Centre for Protection Against Violence can help you submit the application. You may also submit the application yourself or with legal assistance.

Evidence needed for the submission of the application includes, for example: your statement, witnesses, police reports, medical reports, photos, ... Documentation of earlier attacks is also important. Bring all this evidence with you when you submit the application. The court needs to make a decision regarding your application as swiftly as possible. The decision is made by resolution of the court.