



Crime and Security Act 2010

2010 CHAPTER 17

Domestic violence

27 Application for a domestic violence protection order

- (1) If a DVPN has been issued, a constable must apply for a domestic violence protection order (“a DVPO”).
- (2) The application must be made by complaint to a magistrates' court.
- (3) The application must be heard by the magistrates' court not later than 48 hours after the DVPN was served pursuant to section 25(2).
- (4) In calculating when the period of 48 hours mentioned in subsection (3) ends, Christmas Day, Good Friday, any Sunday and any day which is a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971 are to be disregarded.
- (5) A notice of the hearing of the application must be given to P.
- (6) The notice is deemed given if it has been left at the address given by P under section 25(3).
- (7) But if the notice has not been given because no address was given by P under section 25(3), the court may hear the application for the DVPO if the court is satisfied that the constable applying for the DVPO has made reasonable efforts to give P the notice.
- (8) The magistrates' court may adjourn the hearing of the application.
- (9) If the court adjourns the hearing, the DVPN continues in effect until the application has been determined.
- (10) On the hearing of an application for a DVPO, section 97 of the Magistrates' Courts Act 1980 (summons to witness and warrant for his arrest) does not apply in relation to a person for whose protection the DVPO would be made, except where the person has given oral or written evidence at the hearing.

Changes to legislation: Crime and Security Act 2010, Section 27 is up to date with all changes known to be in force on or before 11 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Commencement Information

- I1** S. 27 coming into force (temp.) (30.6.2011 for specified police areas and policing divisions for a period of 12 months ending on 29.6.2012 so that the Secretary of State may assess the effectiveness of this provision) by [Crime and Security Act 2010 \(Domestic Violence: Pilot Schemes\) Order 2011 \(S.I. 2011/1440\)](#), [arts. 2, 3](#)
- I2** S. 27 coming into force (temp.) (7.10.2011 for specified police areas and policing divisions for a period ending on 29.6.2012 so that the Secretary of State may assess the effectiveness of this provision) by [The Crime and Security Act 2010 \(Domestic Violence: Pilot Schemes\) Order \(No. 2\) 2011 \(S.I. 2011/2279\)](#), [arts. 2, 3](#)
- I3** S. 27 in force at 30.6.2012 for specified purposes by [S.I. 2012/1615](#), [arts. 2, 3](#)
- I4** S. 27 in force at 8.3.2014 in so far as not already in force by [S.I. 2014/478](#), [art. 2\(a\)](#)

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Changes and effects yet to be applied to :

- s. 24-33 omitted by [2021 c. 17 s. 55\(1\)](#)