Fighting Domestic Violence - Norway

4. Protection for domestic violence victims and relief granted

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# 4.1 Civil protection orders

# 4.1.1 Are there civil protection orders available to victims of domestic abuse?

In 2004, the government established the [Norwegian Centre for Violence and Traumatic Stress Studies](https://en.wikipedia.org/wiki/Norwegian_Centre_for_Violence_and_Traumatic_Stress_Studies), a research center affiliated with the [University of Oslo](https://en.wikipedia.org/wiki/University_of_Oslo) and with national responsibility for violence research in Norway, including domestic violence.

Restraining orders are available to victims of domestic abuse. This type of order may be made against any person who has committed a criminal act when there is reason to believe that the person will otherwise: a) commit a criminal act against another person; b) stalk another person; or c) otherwise disturb another person's peace.[3]

The restraining order may provide that the person subject to the order may not: a) be present in specific areas; or b) stalk, visit or otherwise contact another person.[4]

If there is an obvious risk of a criminal act being committed against another person, the offender may be banned from their own home.[5]

The restraining order may be limited subject to specific conditions. There are sanctions for breaching a restraining order and a penalty of a fine or imprisonment for a term not exceeding one year can apply.[6]

# 4.1.2 Who can petition for civil protection orders?

A restraining order may be made against any person who has committed a criminal act when there is reason to believe that the person will otherwise: a) commit a criminal act against another person; b) stalk another person; or c) otherwise disturb another person's peace.[7]

# 4.1.3 Are there temporary custody of a child or child support orders?

If a child is a victim of violence from a partner, family member or others, they are able to get help. They can be provided with safe accommodation at a crisis center, and guidance and legal assistance to report the matter to the police.

# 4.1.4 Is there a provision to order the abuser to move out or stay away from places that the victims frequent?

If there is an obvious risk that a criminal act will be committed against another person, the offender may be banned from their own home.[8] A ban from one's own home can only be imposed for a specific period not exceeding one year.[9]

# 4.1.5 Are there any other types of emergency, preventive and civil protection orders?

Research does not show that there are any other civil protection orders. However, upon the request of the police, the court could also impose electronic monitoring, which sends an alarm if the violent person enters a certain defined area. The monitoring can only register the following information: (i) whether the convicted person is moving within the areas covered by the restraining order; (ii) whether the convicted person is moving in the vicinity of the aggrieved person; or (iii) any loss of signal from the monitoring equipment. The convicted person has a duty to provide assistance and follow the policy instructions as necessary for the implementation of the monitoring.[10]

# 4.1.6 Can these orders be requested by direct or indirect victims or legal representatives in children's cases?

When a woman suffers violence by her partner, that action becomes the responsibility of the government, and the police have the duty to open a case and assure the protection of the victim irrespective of whether they want to press charges.

It is unclear as to whether these orders also apply to children.

# 4.1.7 Are there different types of civil protection orders, e.g., for a short- term period?

N/A

# 4.1.8 Are ex parte orders permitted without the aggressor being present?

N/A

# 4.1.9 Do emergency orders also extend protection for abuse and intimidation to family members of the victim?

Restraining orders must be decided on by the police with immediate effect and be brought in front of the court within five days from notifying the person concerned. If the police do not decide to issue a restraining order, the victim can appeal it to the court.

# 4.1.10 How long do the orders last?

They last for up to one year.

# 4.1.11 Please provide any data or hyperlinks to government or NGO websites that include information on how often civil protection orders are issued, and any relevant demographics information, e.g., police reports, convictions, etc.

No data found.

# 4.2 Steps for receiving a protective order

# 4.2.1 What documentation is needed to obtain a civil protection order?

N/A

# 4.2.2 Does the victim need to attend a hearing?

The police must bring their decision on issuing a restraining order to the court within five days of notifying the person concerned. If they decide not to issue an order, the person it was meant to protect can bring the matter to court. The court will convene a court session attended by the subject of the order and the person it is meant to protect. If neither of them attends, the court will usually consider the restraining order based on the case documents. The person the order is intended to protect usually attends court.[11]

# 4.2.3 Can you request remedies?

N/A

# 4.2.4 Are there time limits?

A loss of rights pursuant to Section 57 ("Restraining orders") of the Penal Code can be imposed for a specific period not exceeding five years or for an indefinite period when special reasons warrant it. However, electronic monitoring may not be imposed indefinitely. A ban from one's own home may only be imposed for a specific period not exceeding one year.[12]

# 4.2.5 Are there different rules in emergencies?

N/A

# 4.3 Judicial discretion

# 4.3.1 What discretion does a judge have in granting a civil protection order or other protective orders?

No sentence is required for a person to be subject to a restraining order. The police serve restraining orders, which apply from the moment the person they apply to is made aware of it.[13]

The police must bring their decision on issuing a restraining order to the court within five days of notifying the person concerned. If they decide not to issue an order, the person it was meant to protect can bring the matter to court. The court will convene a session attended by the subject of the order and the person it is meant to protect. If neither of them attends, the court will usually consider the restraining order based on the case documents. The person the order is intended to protect usually attends court.[14]

If deemed necessary to ensure compliance with a restraining order, the court can decide that the person will have electronic monitoring imposed for all or part of the duration of the restraining order. The monitoring can only cover: (i) whether the convicted person is moving within the areas covered by the restraining order; (ii) whether the convicted person is moving in the vicinity of the aggrieved person; and (iii) any loss of signal from the monitoring equipment.[15] The district court can review an order imposing electronic monitoring after six months and, if the order is upheld, it cannot be reviewed again for a period of six months.[16]

The district court in the judicial district where a restraining order applies, on the application of the prosecuting authority and in the interests of the person(s) the order is intended to protect, may amend the content of the restraining order.[17]

# 4.3.2 Are there age limits on who can obtain orders?

Under Section 57 of the Penal Code, a person who is subject to a restraining order prohibiting contact with a child cannot have access to the child as set out in the restraining order. However, this does not apply if the restraining order allows access.[18]

# 4.4 Restitution and remedies available to victims

# 4.4.1 Can victims obtain reimbursement for costs and restitution paid?

N/A

# 4.4.2 Can they recover wages and profits lost?

N/A

# 4.4.3 Is a separate civil process required?

N/A

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