

WHAT IS A RESTRAINING ORDER?

In cases of domestic violence or where there is reasonable suspicion of a criminal offence or minor offence involving violence, the police or a court may issue a restraining order prohibiting the perpetrator from approaching a specific place or person.

If there is reasonable suspicion that a person has committed a criminal offence or minor offence involving violence or has been caught in the commission of such an offence [...] the police may issue a restraining order prohibiting the person in question from approaching a specific place or person, which the offender must not deliberately infringe. [...] A restraining order also prohibits harassment through any form of communication.

Police Tasks and Powers Act

The court may issue the following prohibitions if the perpetrator has injured or threatened the victim, unlawfully entered their home or workplace, followed or harassed them (including via means of communication or publication of personal data), or otherwise violated their dignity:

- Prohibition on entering the victim's home
- Prohibition on remaining in or approaching places the victim regularly visits (e.g. home, workplace, school or kindergarten)
- Prohibition on arranging meetings or making contact with the victim, including through communication or third parties [...]

Domestic Violence Prevention Act

IMPORTANT NUMBERS

NAME	CONTACT
Police (emergency number)	113
The nearest social work centre (SWC)	
Društvo SOS telefon (SOS Helpline)	080 11 55 drustvo-sos@drustvo-sos.si
Association for Nonviolent Communication	+386 1 434 48 22 info@drustvo-dnk.si
Reclaim the Power Association	+386 41 20 49 49 info@zamoc.si

AVAILABLE SUPPORT FOR VICTIMS, PERPETRATORS OF VIOLENCE AND OTHERS INVOLVED

- Immediately after issuing a restraining order, the social work centre contacts the victim and, as part of initial social assistance (an interview), informs them about the available types of assistance.
- If the victim is under 18 years of age and was alone with the perpetrator when the restraining order was issued, or if no other adult is present to protect the minor, the social work centre will ensure their safety and protection.
- The social work centre also contacts the perpetrator to inform them about the services available to help address and stop their violent behaviour.

RESTRAINING ORDER



REPUBLIKA SLOVENIJA
MINISTRSTVO ZA DELO, DRUŽINO,
SOCIALNE ZADEVE IN ENAKE MOŽNOSTI

HOW IS A RESTRAINING ORDER ISSUED?

- The police verbally issue a restraining order prohibiting approach to a specific place or person to the perpetrator, and must serve a written restraining order within six hours.
- The police define the area within which the perpetrator is prohibited from approaching the specific place or person.
- The perpetrator must immediately leave the restricted area. Before leaving, they are permitted – under police supervision – to collect their identity documents, financial means and essential personal items (e.g. footwear, clothing and hygiene products).
- The perpetrator must hand over the keys to the home shared with the victim to the police.
- If the perpetrator fails to comply, the police will immediately remove them from the area.

VIOLATION OF THE RESTRAINING ORDER

- The police monitor compliance with restraining orders.
- If the perpetrator is found within the restricted area, the police will remove them immediately.
- The police may issue a fine or detain the person for failing to comply with the restraining order.

DURATION OF A RESTRAINING ORDER PROHIBITING APPROACH TO A SPECIFIC PLACE OR PERSON

- The police may impose a restraining order for up to 48 hours.
- An investigating judge must confirm the order within 24 hours and may extend it for up to 15 days.
- At the victim's request, the investigating judge may further extend the order for up to 60 days.
- The court may impose additional measures under the Domestic Violence Prevention Act for up to 12 months. The victim can request an extension of these measures.

WHOM THE POLICE NOTIFIES WHEN A RESTRAINING ORDER IS ISSUED?

- The police send the written restraining order to the victim, the perpetrator and the investigating judge.
- If the victim is a child attending an educational institution, the police also inform the relevant person responsible at the institution to ensure the child's protection.
- Once the order is issued, the police notify the relevant social work centre or emergency services by telephone, who then contact the victim immediately.

Domestic violence is against the law.

It refers to any physical, sexual, psychological or economic violence by one family member against another, as well as neglect, stalking and the corporal punishment of children.

Domestic Violence Prevention Act

WHAT CAN THE VICTIM DO IF THE PERPETRATOR VIOLATES THE RESTRAINING ORDER OR CONTINUES TO POSE A THREAT?

- Report the violation to the police.
- If the perpetrator appears at a prohibited location or harasses the victim by telephone despite the restraining order, the victim should notify the police immediately.
- Request an extension of the restraining order.
- Before the current restraining order expires, the victim may submit a request to the investigating judge for an extension (up to 60 days). The request should include the reasons for the extension. If the victim feels unsafe due to the perpetrator's behaviour, these reasons should be explained (e.g. violations of the order, attempts to make contact, threats or past negative experiences). The victim can ask a social work centre or non-governmental organisation for assistance in preparing the request. It is advisable to request documentation of any violations from the police and attach it to the request.