

Violence against women is exercised mainly by men and in most cases takes place in the alleged sanctuary of your private home.

Domestic violence starts with threats, humiliation and social isolation and continues with sexual abuse and physical violence.

When your husband or male partner beats you up or abuses you, it is considered a crime which will be prosecuted, as a rule, if reported to the police.

Furthermore you have additional civil law rights in order to safeguard you from the violent acts of your partner.

You can apply at the civil law court for

- protective orders (Schutzanordnungen)
- allocation of the flat
- damages and compensation
- custody
- suspension of visitation rights (Umgangsrecht)

In all these cases, you should seek the advice of a lawyer specializing in family matters. If you have a very low income, you can get financial help to cover legal fees.

Because lawsuits are usually very time consuming, protective orders and other claims should be pushed through on urgent terms (Eilverfahren).

## Protective orders

If you or your children have become victims of domestic violence, you can file a claim for protective orders according to the Gewaltschutzgesetz (a law for protection against violence) at the family court (Familiengericht) or at a civil court, if you don't share your home with the aggressor.

The court can order him to stop actions of abuse, intimidation and strain. The court can rule that he is not allowed to get in touch with you or go near your place of work or your home. It can also rule that he has to stay away from the children's school or kindergarten.

In case he doesn't follow the court ruling he can be fined.

## Allocation of the flat

In accordance with the Gewaltschutzgesetz or § 1361b BGB (chapter 1361 of the German Common Law text) you can apply at the family court for the sole right of abode at your home. If you have rented the flat and are not married to the aggressor, you can get him evicted by County Court Order (Amtsgericht). If you have sublet the flat to him, you can give notice with immediate effect.

In case you and your (ex-)partner both have signed the lease, it is best to get legal advice from a lawyer to see if it is possible to get the aggressor out of the

lease. In the meantime, it is possible to get an order to stop him from entering the flat.

## Custody

Children always suffer when experiencing domestic violence. If you decide to leave your partner because he abuses you, or if you are asking for court rulings to ensure your safety, you can also apply for sole custody and the right to decide where the children live. You can do that at the family court even before you file for divorce.

## Suspension of visiting rights

Regardless of the custody-decision the father keeps the right to see his children as a rule. If there is a chance that he will carry on abusing you or the children, you can file for the temporary or permanent suspension of visitation rights at the family court.

A slightly less harsh measure is the guarded visit, which is a visit under the auspices of a third person (e.g. a friend of the family or a social worker).

## Damages and compensation

Your right for payment of damages includes the re-funding of costs for medical treatment, financial loss at work, torn clothing and broken goods.

Compensation is amends for the abuse, pain and humiliation you have experienced.