

113.17a *Family prohibitions*

R v Cetin 2014 EWCA Crim 343 D pleaded to intimidation. He was involved in a domestic disturbance with his wife, V, who became a prospective witness in criminal proceedings. In breach of his bail, D travelled from Kent to Suffolk and V was terrified to see him. The Restraining Order imposed had a term that he was not to contact his daughter ‘unless through lawyers’. Held. V must be protected. The issue of contact with the daughter is not capable of being adjudicated as a by-product of criminal proceedings on scant information, solely as a protective device to benefit V. A carefully drafted Restraining Order will be called for so it does not interfere with the child’s right to respect for family life and D’s rights are not disproportionately interfered with. Term amended to prohibit D from contacting either V or her daughter save through contact arrangements made through wife’s solicitors or by order of the family court.

113.18 *Geographical prohibitions*

R v F 2014 EWCA Crim 539 LCJ D was convicted of common assault and committing an offence with intent to commit a sexual offence against V, his neighbour. He asked for a blow job in payment for mowing her lawn. D grabbed V’s arms and pulled her into the living room onto a couch. D said, “It won’t take long” and “it’s not that big”. V managed to free herself and V noticed his flies were unzipped. There was a bruise on one of V’s arms. V felt she had no option but to move house because of her apprehension if she stayed. D owned his house. Held. D was now prepared to move and live with his daughter. To police that willingness the Restraining Order would be varied to add, ‘not living within a mile of [V’s] address’.

113.19a *Other terms*

Example: *R v Wiggins and Others* 2014 EWCA Crim 1433 (Given 4 years for ABH on former partner. Making his phone available to police and not to possess a computer that has the facility to remove its history were unnecessary and an infringement of his rights.)