



HM Courts & Tribunals Service

N540

Claim form – Application for a respect order

This application is made pursuant to the part 8 procedure as modified by rules 65.51 – 65.53 and Part A1 of the Anti-Social Behaviour, Crime and Policing Act 2014.

Name of court

Claim number

Name of claimant (including any reference)

Name of defendant (including any reference)

Date

Day Month Year

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SEAL

To the defendant

This is an important legal document requiring you to attend court. You should read it carefully and are advised to obtain independent legal advice.

If a respect order is made against you at the court hearing, and you do not comply with the terms of the order, the police may arrest you.

If a criminal court finds you guilty of breaching the order, you will have committed a criminal offence and be liable to a term of imprisonment not exceeding two years or a fine or both.

1. The claimant's name

2. Address of the claimant

First line of address

Second line of address

Town or city

County (optional)

Postcode

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3. The defendant

First name(s)

Last name

4. Address of the defendant

First line of address

Second line of address

Town or city

County (optional)

Postcode

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To the defendant

Your rights

You have the right to be legally represented in these proceedings.

You are entitled to a reasonable opportunity to obtain legal representation and to apply for legal aid.

You may be entitled to the services of an interpreter.

You are entitled to a reasonable time to prepare for the hearing with regard to the application against you.

You are entitled but not obliged to give written and oral evidence in your defence.

You have the right to remain silent and may not be compelled to answer any question, the answer to which may incriminate you, but the court may draw adverse inferences if this right is exercised.

If you do not attend a scheduled hearing with regard to this application, the court may proceed in your absence.

The court will sit in public, unless and to the extent that the court orders otherwise. The order will be made in public.

A copy of any respect order or interim respect order granted against you will be delivered to the police, and, if applicable, any supervisor.

If you live in Wales, you have the right to use Welsh in these proceedings. If you wish to use Welsh, please notify the claimant and the court.

5. Which of the following is the claimant applying for?
(tick all that apply)

- ☐ A without notice order
☐ An interim respect order
☐ Neither of the above

Give details of any urgency.

6. Will the claimant be asking the court to make an interim respect order if the claim cannot be concluded at the first on notice hearing?

- ☐ Yes
☐ No

7. Which of the following types of order does the claimant seek?
(tick all that apply)

- ☐ Order prohibiting conduct
☐ Order imposing requirements
☐ Order imposing activity requirements

8. Is a draft of the order sought included with this application?

- ☐ Yes
☐ No

9. Is the written evidence of the claimant in support of this application attached?

- ☐ Yes
☐ No

Note 8: Details of the order requested must be in the draft order included with the application.

If the claimant is seeking an interim respect order in different terms to the respect order sought, copies of both draft orders must be included with the application.

10. Give a brief summary of the basis for the application.

11. The terms of the respect order applied for are:

- 12.** Do you believe the defendant, or any witness who will give evidence, are vulnerable in any way which the court needs to consider?

☐

Yes. Explain in what way the defendant or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.

☐

No

For cases in Wales

- 13.** Do you, or any of your witnesses, want to use Welsh in the course of the proceedings?

☐

Yes

☐

No

Note 13: In any court proceedings in Wales, you have the right to use Welsh.

Statement of truth

I understand that proceedings for contempt of court may be brought against a person who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

☐ **I believe** that the facts stated in this claim form and any continuation sheets are true.

☐ **The claimant** believes that the facts stated in this claim form and any continuation sheets are true. **I am authorised** by the claimant to sign this statement.

Signature

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☐ Claimant

☐ Claimant's legal representative (as defined by CPR 2.3(1))

Date

Day Month Year

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Full name

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Name of claimant's legal representative's firm

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If signing on behalf of firm or company give position or office held

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Claimant's or claimant's legal representative's address to which documents should be sent.

First line of address

Second line of address

Town or city

County (optional)

Postcode

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Phone number (office hours)

Phone number (out of office hours)

Email

Claimant's or claimant's legal representative's reference

Court fee

What you need to pay

To check the latest fee for this application go to

<https://www.gov.uk/government/publications/fees-in-the-civil-and-family-courts-main-fees-ex50/civil-court-fees-ex50>

the court fee is

How to pay the court fee

☐ **A debit or credit card payment**

☐ I will pay over the phone, please call me on this number

☐ Please email me details on how to pay, my email address is

☐ I attached a **cheque or postal order**, made payable to 'HMCTS'

☐ **In person at** the court/office counter (where available)

☐ **Fee account details – for use by legal professionals**

Your account number

P	B	A							
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Your reference (if applicable)

Fee account – a way for solicitors, local authorities and other regular users to make payments relating to civil and family cases.