

Where there is threatened or actual physical violence that person can apply to their local Magistrates Court to take out a Peace and Good Behaviour order pursuant the *Peace and Good Behaviour Act*. Your local Magistrates Court and Legal Aid Office can provide you with comprehensive guides in relation to the procedure required together with relevant forms. You must be aware in these types of matter they are heard before a Magistrate and therefore the neighbour will be required to appear in a Court. It is for this reason that it is often beneficial to try to mediate the dispute before getting to this stage.

If a Peace and Good Behaviour order is granted and the neighbour then breaches that order, the Court can impose sanctions including fines and terms of imprisonment for those breaches.

To satisfy the Court that an order should be granted under the *Peace and Good Behaviour Act* you must show that your neighbour has threatened:

- ♦ Bodily injury to you or someone under your care;
- ♦ Damage to your house or property; or
- ♦ Otherwise committed a breach of the peace.

There are also other avenues to protect yourself or your property and you can obtain injunctions in Higher Courts. The *Criminal Code* also provides an offence for a threat of physical violence and these matters should be referred to the police.