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Domestic violence

Verified 19 novembre 2020 - Directorate of Legal and Administrative Information (Prime Minister), Ministry of Justice

All acts of domestic violence are prohibited by law, whether against a man or a woman, whether physical, psychological or sexual. This is violence committed within married, married or common-law couples. The victim of domestic violence who reports the incident can benefit from numerous protective measures by public institutions and associations. These measures may even extend to children.

What is it about?

Types of violence

Domestic violence can be violence:

- psychological harassment (<https://www.service-public.fr/particuliers/vosdroits/F32247?lang=en>) (insults, threats),
- physical (<https://www.service-public.fr/particuliers/vosdroits/F1524?lang=en>) (assault),
- sexual (<https://www.service-public.fr/particuliers/vosdroits/F1526?lang=en>) (rape, touching, there can be rape even in case of marriage or Pacs),
- or economic (deprivation of financial resources and maintenance of dependence).

Relationship between the perpetrator and his victim

Domestic violence occurs when the victim and the perpetrator are in a sentimental relationship. They may be married, concubines or married. The acts are also punished, even if the couple is divorced, separated or has broken their Pacs.

What to do in the emergency?

Alert police and gendarmerie by telephone

If your spouse or companion causes or threatens to cause spousal violence, you can call the police or the gendarmerie.

By phone

To call the police or the gendarmerie in France in an emergency, you must dial **17**.

If there is no emergency, call your police station or gendarmerie number.

Who shall I contact

- Rescue police - 17

By phone

Dial **17** in the event of an emergency involving a traffic accident, a disturbance of public order or a criminal offense. A team of policemen or gendarmes will visit the site.

You can also dial **112**.

If there is no emergency, call your police station or gendarmerie number.

By SMS

You can also send a free SMS to the **114**. If you cannot speak (danger, disability), you will then communicate in writing with your correspondent.

To call the police or the gendarmerie in one of the [countries of the European Union](http://europa.eu/about-eu/countries/index_fr.htm)  (http://europa.eu/about-eu/countries/index_fr.htm), you have to dial **112**.

- European emergency number - 112

112

Emergency number to be used for a call from a European country or from a mobile phone

24x7

Free call

These numbers should only be used in the event of an emergency, when rapid response is required. You should not use them to report a crime that took place several days before, for example.

By SMS

If you have difficulty hearing or speaking, you can also send an SMS to the **114**. You will then communicate in writing with your correspondent.

Who shall I contact

- Emergency number for people who cannot call - 114
114

By SMS

Free 24/7

By emergency application 114

Free 24/7

Contact possible via:

- Visiophony
- Chat
- Voice / Text Return

Through the Internet portal <http://www.urgence114.fr>

Free 24/7

Contact possible via:

- Visiophony
- Chat
- Voice / Text Return

This number should only be used in the event of an emergency, when rapid response is required. You should not use it to report a crime that took place several days before, for example.

Alert Rescue Services

You can also alert the Samu or fire brigade if you need urgent medical attention following acts of domestic violence.

Who shall I contact

- Samu - 15
For medical emergencies

By phone

15

Free call from a fixed station and a mobile phone in France and overseas

Works 24/7

- Firefighters - 18

By phone

Dial **18** in the event of an emergency involving a fire, a road accident, a domestic accident, an explosion or the release of toxic gases or vapors, a person at risk, drowning or flooding.

From a mobile phone, dial **112**..

Contact the police or gendarmerie via instant messaging

Instant messaging (chat) allows you to chat with police or gendarmerie personnel. At any time, the chat history can be deleted from your computer, mobile phone or tablet.

 Reporting domestic violence

Ministry of the Interior

Go to
online service 
(<https://www.service-public.fr/cmi>)

Removal of violent spouse from home

The perpetrator of domestic violence may be forced by the authorities to leave the home. The law allows for the eviction of a violent spouse or partner.

The victim may also leave the home if she so wishes.

To prevent this departure from being reproached, you can deposit a [hand](https://www.service-public.fr/particuliers/vosdroits/F11182?lang=en) at the police station or the gendarmerie brigade. Domestic violence may justify leaving home.

Emergency accommodation

You can call social Samu for help if you have had to leave your home as a result of domestic violence.

Who shall I contact

- Social Samu - 115
Emergency and homeless number

By phone

115 (free of charge from a landline and a mobile phone in mainland France and overseas)

Open from Monday to Sunday and operating 24 hours a day

👉 **FYI** : you can apply for emergency accommodation to avoid staying in the same dwelling as your abuser during the curfew or confinement period.

Maintenance of family housing

The enjoyment of family accommodation shall be attributed to the spouse who has been the victim of violence, even if he has been provided with emergency accommodation. However, the judge may decide otherwise by making an order setting out the reasons for the choice.

Relocation

If you got a protection order, you can benefit from the support of specialized associations to find a home. These associations can sublet you with furnished or unfurnished units that they rent from housing associations. Depending on your situation, you can have facilities for the payment of the deposit and the first months of rent.

Have your injuries checked

If you are a victim of domestic violence, you can go to a hospital, a doctor or a midwife (if you are a woman). The medical findings will be useful when trying the perpetrator.

Who shall I contact

- [Hospital](http://www.hopital.fr/annuaire)  (<http://www.hopital.fr/annuaire>)
- [Doctor](http://www.conseil-national.medecin.fr/)  (<http://www.conseil-national.medecin.fr/>)
- [Midwife](http://www.ordre-sages-femmes.fr/annuaire/flib/)  (<http://www.ordre-sages-femmes.fr/annuaire/flib/>)

The health professional shall be subject to medical confidentiality.

Victim assistance

As a victim of domestic violence, you can contact the following organizations:

- 3919, specialized service on violence against women
- Association of the network France Victims, via the number 116 006 Victims
- Women's Rights Information Center.

If you decide to go to court, you can be assisted by a lawyer, whose costs can be covered under certain conditions in the context of legal aid. You can also contact the Victim Support Office for assistance in completing the legal process.

Who shall I contact

Specify your city or postcode The choice of a municipality in the suggestion list will automatically trigger an update of the content

- Violence Women Info - 3919
Listens, informs and guides women victims of violence, as well as witnesses of violence against women.
Deals with physical, verbal or psychological violence, at home or at work, and of any kind (including sexual harassment, assault and rape).
Does not deal with emergencies (it is not a police or gendarmerie service).

By phone

39,19 (free call from landline or mobile)

Open from **Monday to Saturday** from **9am to 7pm**

Anonymous call.

Call not on phone bills.

- 116 006 - Victim Support Number
Listens, informs and advises victims of crime and their relatives.

By phone

116,006

Free call

Open 7 days a week from 9am to 7pm

The service can also be accessed by dialing **+33 (0)1 80 52 33 76** (normal pricing number).

By email

victimes@france-victimes.fr

- [Lawyer](https://www.cnb.avocat.fr/annuaire-des-avocats-de-france)  (https://www.cnb.avocat.fr/annuaire-des-avocats-de-france)
- [Victim Support Office](https://annuaire.service-public.fr/recherche?whoWhat=bureau+d%27aide+aux+victimes&where=) (https://annuaire.service-public.fr/recherche?whoWhat=bureau+d%27aide+aux+victimes&where=)

File a complaint

In order for the perpetrator of the spousal violence you have suffered to be prosecuted, and to be sentenced for his act, you must [file](https://www.service-public.fr/particuliers/vosdroits/F1435?lang=en) (https://www.service-public.fr/particuliers/vosdroits/F1435?lang=en)..

In case of violence, you have 6 years to file a complaint.

On site

You must contact a police station or gendarmerie of your choice.

Who shall I contact

- [Office or Force](http://www.interieur.gouv.fr/Contact/Contacter-une-brigade-de-gendarmerie-ou-un-commissariat-de-police)  (http://www.interieur.gouv.fr/Contact/Contacter-une-brigade-de-gendarmerie-ou-un-commissariat-de-police)

You cannot be denied receipt of the complaint.

The complaint is then transmitted to the public prosecutor by the police or the gendarmerie.

By mail

You can lodge a complaint directly with the public prosecutor. We need to send [free paper letter](https://www.service-public.fr/particuliers/vosdroits/R11469?lang=en) (https://www.service-public.fr/particuliers/vosdroits/R11469?lang=en) the court of the place of the offense or the place of residence of the offender.

The letter must include the following:

- Civil status and full contact information (address and telephone number) of the complainant
- Detailed account of the facts, date and place of the offense
- Assumed author's name if you know him (otherwise the complaint will be filed against X)
- Names and addresses of potential witnesses to the offense
- Description and provisional or final injury estimate
- Evidence: medical certificates, work stoppages, various invoices, findings
- Willingness to take part in civil proceedings



Make a complaint to the public prosecutor

Directorate of Legal and Administrative Information (Dila) - Prime Minister

Go to
document template 
(https://www.service-public.fr/simulateur/calcul/Porter_plainte)

Who shall I contact

- [Court of Justice or Proximity](https://www.justice.fr/recherche/annuaires)  (https://www.justice.fr/recherche/annuaires)

You can send your complaint by registered letter with acknowledgement of receipt or by simple letter. You can also file your complaint directly at the court reception. In all cases, a receipt will be given to you as soon as the public prosecutor's office has registered your complaint.

 **FYI** : if the police or the gendarmerie refuse to take your complaint of domestic violence, you can alert the relevant supervisory authorities.

 Entering the National Police Inspectorate online

Ministry of the Interior

Allows you to directly enter the general inspection of the national police if you are a victim or witness of a behavior that may involve a police officer.

**Go to
online service** 
(<http://www.police-nationale.interieur.gouv.fr/Organisation/Inspection-Generale-de-la-Police-Nationale/Signalement-IGPN>)

Entering the General Inspectorate of the National Gendarmerie online

Ministry of the Interior

Allows you to bring to the attention of the General Inspectorate of the National Gendarmerie facts that you consider to be contrary to the ethics of the National Gendarmerie.

**Go to
online service** 
(<http://www.gendarmerie.interieur.gouv.fr/Contacts/Formulaire-de-reclamation>)

Apply for a protection order

Purpose of protection order

If you are the victim of violence in your couple, you can apply to the family court for a protection order. You can do this even if you do not live in cohabitation with the perpetrator.

In case of danger to you or your children, this judge can issue you an emergency protection order, even if you have not yet filed a criminal complaint. The protection order is intended to prevent the perpetrator from approaching you and your children.

Procedure

The application for a protection order must be made by application to the competent family court judge for your home.

Application to Family Court Judge: issuance of protection order

Cerfa n° 15458*05 - Ministry of Justice

**Go to
form(pdf - 107.9 KB)** 
(https://www.formulaires.service-public.fr/gf/cerfa_15458.do)

 Consult the online manual

▸ [Notice - Application for Protection Order](https://www.formulaires.service-public.fr/gf/getNotice.do?cerfaNotice=52038&cerfaFormulaire=15458)  (<https://www.formulaires.service-public.fr/gf/getNotice.do?cerfaNotice=52038&cerfaFormulaire=15458>)

You can attach to the request all the evidence of the violence suffered: medical certificates, photo of injuries, testimonies...

Who shall I contact

▸ [Court of Justice or Proximity](https://www.justice.fr/recherche/annuaires)  (<https://www.justice.fr/recherche/annuaires>)

The family judge must set the date of the hearing by order. The decision must be made no later than 6 days after the hearing date has been set.

If you are assisted by a lawyer, you must transmit by bailiff the order setting the hearing date and the request to the alleged perpetrator, within 2 days. The costs of bailiffs are borne by the State.

If you are not assisted by a lawyer, the court registry must forward the order setting the hearing date to the alleged perpetrator.

The judge may also decide to inform the alleged perpetrator of the violence of the date of the hearing by any means, if he considers it necessary.

Decision

Répondez aux questions successives et les réponses s'afficheront automatiquement

Favorable

The protection order may prohibit the perpetrator from contacting you or approaching you, at your home, at your workplace or elsewhere.

If you wish, and the perpetrator also agrees, the judge can decide that each of you 2 wears an electronic bracelet that ensures that he does not get closer to you within a certain distance.

If the perpetrator objects to this measure, the judge must inform the public prosecutor. The judge issuing a protection order may also order the prohibition of the perpetrator's right to detention or to bear arms. But, if he does not intend to do so, he must justify his position in the protection order.

The judge may also offer the perpetrator health, social or psychological care, or the follow-up of a course of prevention against violence. If the perpetrator of the violence refuses this proposal, the judge must inform the public prosecutor.

The judge shall also decide on the joint residence of the spouses, partners or concubines. You can therefore request to stay in your residence, the enjoyment of the accommodation being in principle attributed to the victim. The perpetrator must then leave the common home within the time limit set by the judge. It may be compelled to continue to provide financial support for the common dwelling.

If you have common children, the judge must also decide on the exercise of parental authority and on access and accommodation rights. It may order that the perpetrator's right of access be exercised in a meeting place or in the presence of a trusted third party. If it does not, even though it has prohibited the perpetrator from contacting you, it must justify its position in the protection order.

The measures contained in the protection order are for a period of 6 months and may be extended.

If you have filed a complaint, the removal of the violent spouse may be ordered by a [judicial review \(https://www.service-public.fr/particuliers/vosdroits/F2902?lang=en\)](https://www.service-public.fr/particuliers/vosdroits/F2902?lang=en). But the criminal justice system cannot decide at this stage on the withdrawal of parental authority.

 **FYI** : if you have received a protection order, you can apply for the [early release of your salary savings \(https://www.service-public.fr/particuliers/vosdroits/F31622?lang=en\)](https://www.service-public.fr/particuliers/vosdroits/F31622?lang=en).

Disadvantage

If the application for a protection order is rejected, the judge may set another hearing to decide on the other applications. For example, the exercise of parental authority and the contribution to the child's maintenance and education costs.

Anti-match bracelet

The anti-reconciliation bracelet is used to protect you as a victim of spousal violence, by preventing your violent spouse or spouse from coming into physical contact with you.

When put in place, the bracelet allows you to locate your spouse or ex-spouse.

An alert system will be triggered when your spouse or former spouse approaches you.

A warning is then sent to him, and the forces of order can intervene if he continues to approach the place where you are.

The mechanism may be implemented in criminal proceedings or in civil proceedings.

The decision must be made by a judge.

General case

The anti-reconciliation bracelet can be decided from 31 December 2020.

In Île-de-France

In the judicial districts of Bobigny and Pontoise

The anti-reconciliation bracelet can be decided since 25 September 2020.

In other judicial districts

The anti-reconciliation bracelet can be decided from 31 December 2020.

In New Aquitaine

In the judicial district of Angoulême

The anti-reconciliation bracelet can be decided since 25 September 2020.

In other judicial districts

The anti-reconciliation bracelet can be decided from 31 December 2020.

In the Hauts-de-France region

In the judicial district of Douai

The anti-reconciliation bracelet can be decided since 25 September 2020.

In other judicial districts

The anti-reconciliation bracelet can be decided from 31 December 2020.

In Provence-Alpes-Côte d'Azur

In the judicial district of Aix-en-Provence

The anti-reconciliation bracelet can be decided since 25 September 2020.

In other judicial districts

The anti-reconciliation bracelet can be decided from 31 December 2020.

Use in criminal matters

In criminal matters, the decision to install an anti-reconciliation bracelet may be taken before or after the judgment of the person suspected of domestic violence.

Before the judgment, the measure may be taken by the examining magistrate or by the judge responsible for freedoms and detention, in the context of a **judicial review**. (<https://www.service-public.fr/particuliers/vosdroits/F2902?lang=en>)

After the judgment, the measure can be taken only if the person suspected of spousal violence has been convicted of the facts. The measure is then taken as a sentence, or as an adjustment of sentence.

Use in civil matters

In civil matters, the decision to put in place an anti-reconciliation bracelet may be taken by the family court judge to whom you have requested a protection order.. The judge will make the decision if he or she believes you are in danger, but your spouse or ex-spouse must give his or her consent. If he refuses, the judge may refer the matter to the parquet so that the measure may be taken in criminal proceedings.

Ask for a great danger phone

The *great danger phone* is a specific phone that allows a victim of domestic violence to contact a specialized platform directly in case of danger. It is this platform that will alert the police or the gendarmerie if necessary. The victim can be geolocated if she wishes.

This telephone is allocated by the prosecutor in the event of removal of the violent spouse by court order, or in the event of serious and imminent danger when the perpetrator has not yet been arrested or tried. The scheme is intended for the most serious cases of domestic violence. The telephone is given for a period of 6 months renewable.

The victim will also be followed by an association designated by the prosecutor.

The decision on whether or not to grant the high-risk telephone is taken by the Public Prosecutor. You can apply directly to the public prosecutor's office, or to the police or gendarmes who will forward the request to the public prosecutor's office.

Who shall I contact

- [Court of Justice or Proximity](https://www.justice.fr/recherche/annuaires)  (<https://www.justice.fr/recherche/annuaires>)

Criminal sanctions

Alternative measures to prosecution

In cases of minor and isolated violence, the public prosecutor may decide not to prosecute the author in court.

The Prosecutor may then take such measures as:

- [Criminal composition](https://www.service-public.fr/particuliers/vosdroits/F1461?lang=en) (<https://www.service-public.fr/particuliers/vosdroits/F1461?lang=en>),
- [Reminder of the law](https://www.service-public.fr/particuliers/vosdroits/F2277?lang=en) (<https://www.service-public.fr/particuliers/vosdroits/F2277?lang=en>),
- Accountability training for the prevention and combating of domestic violence (carried out by the perpetrator at his own expense),
- [Criminal mediation](https://www.service-public.fr/particuliers/vosdroits/F1824?lang=en) (<https://www.service-public.fr/particuliers/vosdroits/F1824?lang=en>) if the victim agrees.

Physical violence

Penalties for spousal violence depend on the number of days of total incapacity for work (TTI) that the violence has resulted in for the victim.

Répondez aux questions successives et les réponses s'afficheront automatiquement

ITT less than or equal to 8 days

Domestic violence resulting in total incapacity for work (TTI) not exceeding 8 days or days which have not resulted in ITT shall be punished at the maximum:

- from 1 years in prison,
- and €25,000 fine.

ITT greater than 8 days

If the violence resulted in a TTI greater than 8 days, the maximum penalty is:

- 5 years in prison,

- and €75,000 fine.

If spousal violence is common, it can be described as common violence. The maximum penalty is then:

- 5 years in prison and €75,000 in the case of ITT less than or equal to 8 days
- 10 years in prison and 150,000 in the case of ITT exceeding 8 days.

In the event of violence resulting in death without the intention to give it, the penalty shall be:

- 20 years in prison, if the death was caused by a single case of violence,
- 30 years in prison, if the death was caused by repeated violence.

In the case of murder or attempted murder (if the perpetrator deliberately wanted to kill his victim), the penalty is life imprisonment.

Psychological violence

Violence is punishable by law regardless of its nature, including psychological violence.

In the case of moral harassment within the couple, if the facts have resulted in an ITT less than or equal to 8 days (anxiety, or if they have not resulted in any incapacity for work depression...), the maximum penalty is:

- 1 years in prison,
- and €45,000 fine.

Sexual violence

Rape and other sexual assaults are constituted when they have been imposed on the victim, regardless of the nature of the relationship between the aggressor and his victim, including if they are united by marriage.

In the case of rape within a couple, the maximum penalty is 20 years in prison.

In case of sexual assault other than rape, the penalties are 7 years imprisonment and €100,000 fine.

Statute and miscellaneous references

- Civil Code: Articles 515-9 to 515-13 [↗](http://legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000022469694&cidTexte=LEGITEXT000006070721) (<http://legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000022469694&cidTexte=LEGITEXT000006070721>)
Issuance of a protection order
- Penal Code: Articles 222-7 to 222-16-3 [↗](http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006181751&cidTexte=LEGITEXT000006070719) (<http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006181751&cidTexte=LEGITEXT000006070719>)
Physical violence
- Penal Code: articles 222-33-2 to 222-33-2-2 [↗](http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006165282&cidTexte=LEGITEXT000006070719) (<http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006165282&cidTexte=LEGITEXT000006070719>)
Moral harassment
- Penal Code: articles 222-22 to 222-22-2 [↗](http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006165281&cidTexte=LEGITEXT000006070719) (<http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006165281&cidTexte=LEGITEXT000006070719>)
Sexual violence
- Penal Code: articles 222-23 to 222-26 [↗](http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006181753&cidTexte=LEGITEXT000006070719) (<http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006181753&cidTexte=LEGITEXT000006070719>)
Rape
- Penal Code: Articles 222-27 to 222-31 [↗](http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006181754&cidTexte=LEGITEXT000006070719) (<http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006181754&cidTexte=LEGITEXT000006070719>)
Sexual assault other than rape
- Circular No. 2014/0130/C16 on combating domestic violence (PDF - 1.2 MB) [↗](http://www.justice.gouv.fr/publication/cir-crim-AP-2014-0130-C16.pdf) (<http://www.justice.gouv.fr/publication/cir-crim-AP-2014-0130-C16.pdf>)
- Council of Europe Convention on the Prevention and Combating of Violence against Women and Domestic Violence [↗](https://www.coe.int/fr/web/conventions/full-list/-/conventions/rms/0900001680084840) (<https://www.coe.int/fr/web/conventions/full-list/-/conventions/rms/0900001680084840>)

Online services and forms

- Reporting domestic violence (<https://www.service-public.fr/particuliers/vosdroits/R50511?lang=en>)
Online service
- Application to Family Court Judge: issuance of protection order (<https://www.service-public.fr/particuliers/vosdroits/R42412?lang=en>)
Form

For more information, please contact

- Victim assistance [↗](http://www.interieur.gouv.fr/A-votre-service/Ma-securite/Aide-aux-victimes) (<http://www.interieur.gouv.fr/A-votre-service/Ma-securite/Aide-aux-victimes>)
Ministry of the Interior
- Protection order practice guide [↗](http://www.justice.gouv.fr/art_pix/DACS_Ordonnance%20de%20protection_Guide_mai_2020.pdf) (http://www.justice.gouv.fr/art_pix/DACS_Ordonnance%20de%20protection_Guide_mai_2020.pdf)
Ministry of Justice