Warwickshire Safeguarding Children Partnership - 7 Minute Briefing

Domestic Abuse Orders and Legal Protections

01 Introduction

Domestic abuse can affect anyone and includes physical, emotional, psychological, sexual, economic, controlling and coercive behaviour. It can occur within adult intimate relationships, teenage relationship abuse, family relationships and between current or former partners. Children and young people may experience domestic abuse directly within their own relationships or indirectly through exposure to abuse within the home.

The legal system provides a range of protective measures to safeguard adults and children experiencing abuse, reduce risk, and hold perpetrators accountable. Practitioners should understand the available legal options so they can support victims to access protection at the earliest opportunity.

02 Understanding Domestic Abuse and Risk

- The Domestic Abuse Act 2021 recognises a broad range of abusive behaviours and acknowledges children as victims where they see, hear or experience the effects of domestic abuse.
- Domestic abuse can also occur in teenage relationships.
- As well as witnessing domestic abuse, young people may experience controlling, coercive, threatening behaviour, harassment, stalking, digital abuse or violence from a partner or ex-partner.
- Abuse often involves patterns of coercion, intimidation, isolation and control, rather than a single incident.
- Early identification and intervention are critical to preventing escalation and reducing harm.

07 Further Information

- Refuge Helpline: 0800 408 1552
- Guidance on Non-Molestation Orders and Occupation Orders
- Clare's Law
- Domestic Violence and Abuse 7min briefing
- Warwickshire Police Domestic Abuse Support Organisations
- Warwickshire County Council Domestic Abuse
- Regional Procedures – Domestic Abuse

Visit the WSCP website for additional guidance, tools, training and resources to support multi-agency safeguarding practice.



03 Domestic Abuse Protection Notices and Orders (DAPNs and DAPOs)

- Through the Domestic Abuse Act 2021 - DAPNs and DAPOs provide flexible protection against all forms of domestic abuse.
- DAPNs can be issued by police for immediate protection.
- DAPOs can impose prohibitions and positive requirements on perpetrators, such as attending behaviour change programmes.
- Breach of a DAPO is a criminal offence.
- DAPOs are being introduced through a phased pilot approach.
- Practitioners should be aware that DAPOs may be used alongside safeguarding plans and other protective measures to reduce risk and improve victim safety. The victim does not need to apply. Professionals can apply for the DAPO and this can be made through Family Court.

06 Role of Practitioners

- Remember domestic abuse can affect anyone, including young people in their own relationships.
- Remain professionally curious, engage directly with children and victims, and ensure safety planning addresses immediate and longer-term risks.
- Understand legal protections, accurately record and share information about orders, and ensure relevant agencies are aware of safeguarding measures.
- Consider the impact of domestic abuse on children and families, respond to breaches promptly, avoid assumptions, and focus on risk, coercive control and safeguarding outcomes.

05 Occupation Orders

- An Occupation Order determines who can live in, enter or remain in a family home.
- The court can exclude a perpetrator from the property, even where they have legal rights to occupy it.
- These orders help ensure immediate safety, stability and continuity for victims and children while longer-term arrangements are considered.

04 Non-Molestation Orders

- A Non-Molestation Order is a civil court order designed to protect victims from harassment, intimidation, threats, violence or unwanted contact.
- Applications are commonly made by victims of domestic abuse to protect themselves and any children affected by the abuse.
- Applications can be made through the Family Court and, in urgent situations, can be granted without the alleged perpetrator being informed in advance.
- Breaching a Non-Molestation Order is a criminal offence and can result in arrest and prosecution.