

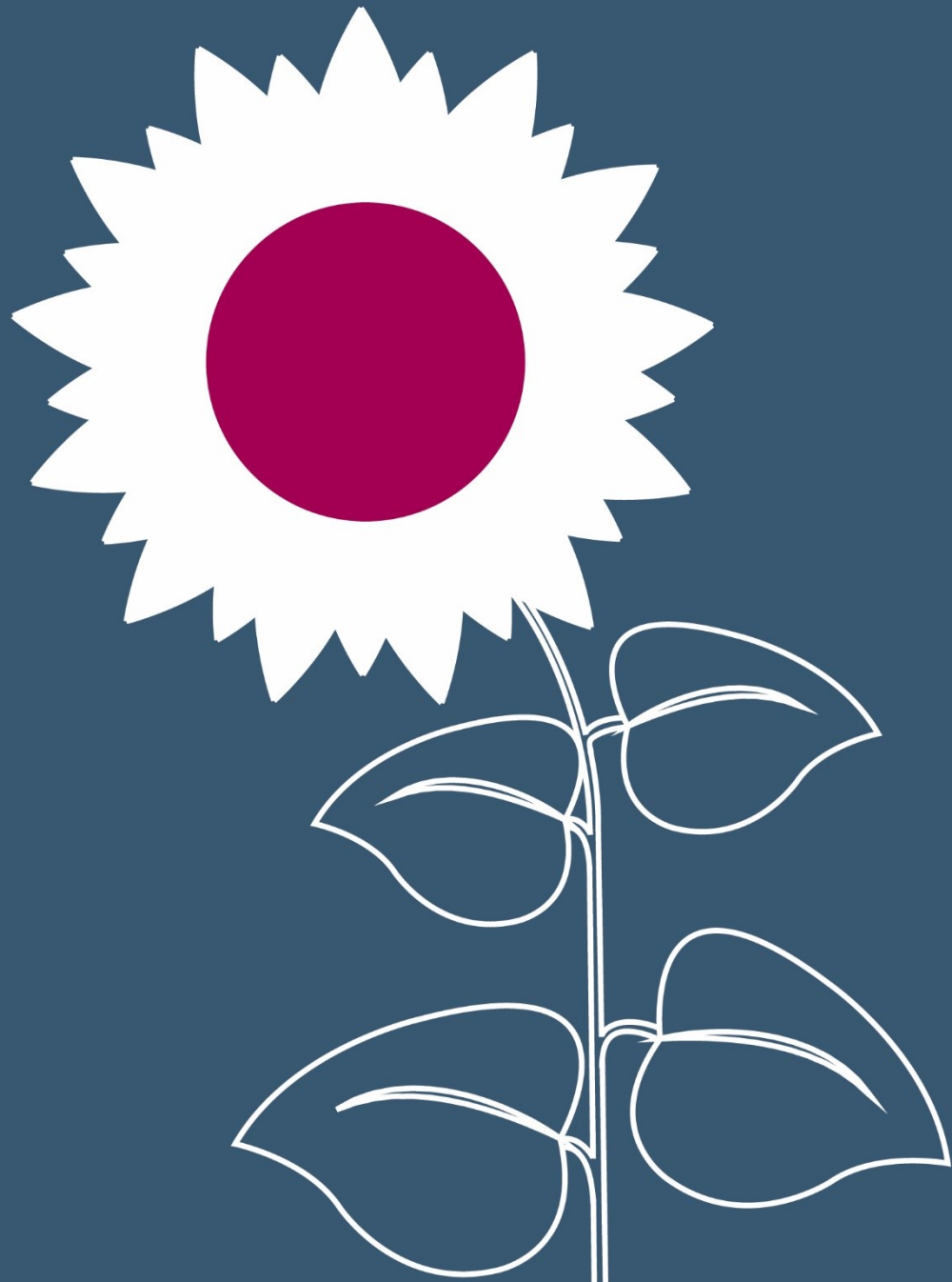


City of  
**Stoke-on-Trent**

# Domestic Abuse Policy

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Review September 2023



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# 1. Introduction and Legislation

The statutory definition of domestic abuse under the Domestic Abuse Act 2021, is:

“Behaviour of a person (“A”) towards another person (“B”) is “domestic abuse” if— (a) A and B are each aged 16 or over and are personally connected to each other, and (b) the behaviour is abusive.

The Domestic Abuse Act 2021 says that behaviour is 'abusive' if it consists of any of the following:

- a. Physical or sexual abuse;
- b. Violent or threatening behaviour;
- c. Controlling or coercive behaviour;
- d. Economic abuse;
- e. Psychological, emotional or other abuse.

It does not matter whether the behaviour consists of a single incident or a course of conduct. The perpetrator of the abuse and the victim of the abuse have to be aged 16 or over and are 'personally connected' as intimate partners, ex-partners, family members or individuals who share parental responsibility for a child. There is no requirement for the victim and perpetrator to live in the same household.

The Domestic Abuse Act 2021 uses the term 'victim' but not everyone who has experienced, or is experiencing, domestic abuse chooses to describe themselves as a 'victim' and they may prefer another term, for example, 'survivor'.

The Serious Crime Act 2015 created a new offence of controlling or coercive behaviour in intimate or familial relationships (section 76). This offence closes a gap in the law around patterns of controlling or coercive behaviour in an ongoing relationship between intimate partners or family members. Prior to the introduction of this offence, case law indicated the difficulty in proving a pattern of behaviour amounting to harassment within an intimate relationship.

Under the statutory guidance [Controlling or Coercive Behaviour in an Intimate or Family Relationship \(2015\)](#) controlling or coercive behaviour is defined as:

- **Controlling behaviour is:** a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour;

- **Coercive behaviour is:** an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.

Controlling or coercive behaviour does not relate to a single incident; it is a purposeful pattern of behaviour which takes place over time in order for one individual to exert power, control or coercion over another. The types of behaviour associated with coercion and control can be found in the statutory guidance [‘Controlling or Coercive Behaviour in an Intimate or Family Relationship \(2015\)’](#).

The definition of domestic abuse includes other forms of abuse such as:

**Wider Familial Abuse** which can involve abuse by any relative or multiple relatives. Abuse within a family set-up can encompass a number of different behaviours, including but not limited to violence, coercive or controlling behaviours, and economic abuse. Abuse by family members also encompasses forced marriage, so called 'honour'-based abuse and female genital mutilation.

**Child-to-Parent Abuse** which can include physical violence from a child towards a parent or other family members such as siblings and a number of different types of abusive behaviours, including damage to property, emotional abuse, and economic/financial abuse. Violence and abuse can occur together or separately. Abusive behaviours can encompass, but are not limited to, humiliating language and threats, belittling, damage to property and stealing and heightened sexualised behaviours.

**Stalking** which is described as a pattern of unwanted, fixated and obsessive behaviour which is intrusive. It can include harassment that amounts to stalking or stalking that causes fear of violence or serious alarm or distress in the victim.

**Technological abuse** using technology and social media as a means of controlling or coercing victims. This happens frequently both during and after relationships with abusers and is particularly common amongst younger people.

## Domestic Abuse, Children and Legislation

Working Together to Safeguard Children (2018) defines Domestic Abuse as:

“Domestic abuse can encompass a wide range of behaviours and may be a single incident or a pattern of incidents. Domestic abuse is not limited to physical acts of violence or threatening behaviour, and can include emotional, psychological, controlling or coercive behaviour, sexual and/or economic abuse.

Types of domestic abuse include intimate partner violence, abuse by family members, teenage relationship abuse and adolescent to parent violence. Anyone can be a victim of domestic abuse, regardless of gender, age, ethnicity, socio-economic status, sexuality or background and domestic abuse can take place inside or outside of the home.

Domestic abuse continues to be a prevalent risk factor identified through children social care assessments for children in need. Domestic abuse has a significant impact on children and young people.

Children may experience domestic abuse directly, as victims in their own right, or indirectly due to the impact the abuse has on others such as the non-abusive parent”.

Under the Domestic Abuse Act 2021, children are recognised as victims of domestic abuse in their own right, if they see, hear, or experience the effects of the abuse, and are related to the perpetrator of the abuse or the victim of the abuse. Abuse directed towards the child is defined as child abuse.

Where there is domestic abuse, the wellbeing of the children in the household must be promoted and all assessments must consider the need to safeguard the children, including unborn children.

Domestic abuse in teenage relationships is just as severe and has the potential to be as life threatening as abuse in adult relationships. Victims under 16 should be treated as victims of child abuse and age appropriate consequences should be considered for perpetrators under 16. Abuse involving perpetrators and victims aged between 16 and 18 could be both child and domestic abuse.

## **Domestic abuse and the effect on the unborn child**

There is clear evidence about the exposure of impact on physical assault during pregnancy and/or on the unborn child:

- Higher risk of miscarriage and spontaneous termination;
- Low birth weight;
- Being 'on alert' - hypervigilance - high levels of fear and anxiety.

Postnatal trauma symptoms in a small child may include:

- Delayed language;
- Delayed toilet training;
- Sleep disturbance;
- Fear of being left alone;
- Increased arousal, numbing or aggression.

## Domestic abuse and the impact on children and young people

Research tells us there is a significant link between violence to a partner and the abuse of children. 70% of men who are violent to their partner are also violent to her children. Research also tells us 1 in 7 children and young people under the age of 18 will have lived with domestic abuse at point in their childhood.

Children and young people can experience domestic abuse in a number of ways:

- Directly from the abuser
- Indirectly via the abuse of their non-abusing parent
- Young people can experience domestic abuse in their own intimate relationships

Children are at increased risk of physical injury during an incident, either by accident or because they attempt to intervene. There is also potentially a direct risk of physical harm to the child from the domestic abuse perpetrator and this should be considered in all assessments. The child can also be used in order to terrorise the non-abusive parent.

Living with domestic abuse has a significant detrimental effect on the well-being of children. Even when not directly injured, children are greatly distressed by witnessing the physical and emotional suffering of a parent. Some of the possible effects could include:

- Anxiety/Distress/Depression
- Difficulty sleeping
- Nightmares or flashbacks
- Easily startled
- Physical symptoms such as tummy aches and may start to wet their bed
- Temper tantrums and problems with school
- Behaving much younger than they are
- Becoming aggressive or they may internalize their distress and withdraw from other people
- Lowered sense of self-worth
- Older children may begin to miss school, start to use alcohol or drugs, partake in anti-social or criminal behaviour, or begin to self-harm by taking overdoses cutting themselves/controlling food and drink- eating disorders.

Although the abuse may not be a daily occurrence, the risk of an incident places great strain on those living with it with those involved feeling responsible for the abuse and living with a high level of shame and guilt.

## Parenting

Living with domestic abuse does not automatically result in poor parenting; this depends on a range of factors - but consideration of domestic abuse should be present in any assessment undertaken relating to the safety and well-being of a child/young person.

Some parents also misuse drugs or alcohol, experience poor physical and mental ill health and have a history of poor childhood experiences themselves. The co-morbidity of issues compounds the difficulties parents experience in meeting the needs of their children and increases the likelihood that the child will experience abuse and/or neglect.

If parents or carers are to be empowered to promote their children's well-being, they will require sensitive and appropriate resources, including at times a safe place to live. A therapeutic goal for parents/carers where there is domestic abuse, should be that the violence to be minimised/stopped and evidence of whether this goal is met, is that the cessation of violence has an immediate impact on the indicators of safety, health and wellbeing of a child.

Children's outcomes significantly improve across all key measures after support from specialist children's services are offered and provided which focuses particularly on the impact of domestic abuse.

## Behaviours observed in children where domestic abuse is present

- Children and young people are likely to experience a range of **emotional and behavioural responses**, including fear, anxiety, worry, anger and aggression. They may feel isolated and stigmatised, while many have to take on caring responsibilities. The risk of psychological harm is high for those who also experience other forms of abuse and neglect;
- Impact differs by **developmental stage**: infants may show delayed development, sleep disturbance, temper tantrums and distress; school-age children may develop conduct disorders and difficulties with their peers and find it hard to concentrate; depression, delinquency and aggression are common among adolescents;
- Not all children suffer adverse effects, however. There is evidence that the **impact is cumulative**, with sustained exposure over time leading to the most severe impact;

- **Young people** exposed to domestic violence in childhood are more likely to experience violence and abuse in their own relationships. All practitioners who work with young people should ask about violence in intimate peer relationships, as young people are unlikely to disclose it spontaneously;
- **Maternal mental health problems and parental substance misuse** both increase the likelihood of harm for children exposed to domestic abuse. The mental health of mothers should be a key target for intervention;
- **Mothers' parenting** can be undermined by assaults on their self-esteem and confidence, and by perpetrators forging hostile alliances with children or other family members. However, there is clear evidence that parenting can recover once mothers are no longer living with domestic abuse;
- **Social isolation** which can continue after victims leave an abusive relationship, contributes to parenting problems and may be acute for victims from some minority ethnic communities, mothers with disabilities, families with disabled children and homeless mothers. Interventions should aim to link them into local support services.

The following may be indicators that a child is living in an abusive environment:

- Taking part in dangerous or harmful behaviours;
- Getting into trouble;
- Are unhappy;
- Are worried;
- Are angry and have violent outbursts;
- Find it difficult to control emotions;
- Have sleep difficulties;
- Are afraid of getting hurt;
- Are afraid of someone else getting hurt.

## Separation

Deciding to leave home and loved ones requires a long process of contemplation. It is not easy to leave familiar places and routines in order to escape abuse and violence and partners need support to make these difficult decisions. In some situations, there will be a conflict of interest whereby the child's need for safety must take priority over the parent's choice to remain with the abusive partner. Safety planning is an essential part of any work with a victim of domestic abuse. It is important that workers recognise the power an abusive partner has over their victims.



Although separating from a violent partner should result in victims and children being safe from harm, the danger does not automatically end. It should be recognised that the point of leaving an abusive relationship is the time of highest risk for a victim and their children. Contact arrangements can be used by violent and abusive partners not only to continue their controlling, manipulative, violent and abusive behaviour but also as a way of establishing the whereabouts of the victim(s).

An analysis of Serious Case Reviews found evidence of past or present domestic abuse present in over half (53%) of cases. Child death inquiries have highlighted the need for workers to acknowledge the issue of domestic abuse and incorporate it into their interventions and child protection plans.

## 2. Agency Response to Domestic Abuse

All agencies, have a duty to safeguard and promote the welfare of children, wherever possible keeping them within their families. The safety of the abused partner and the children is the primary concern of all agencies. They should be listened to with respect and dignity and without judgement. Workers should empower them to make decisions and not make decisions on their behalf. Information sharing is beneficial if carried out appropriately and safely and confidentiality should be respected.

Workers should not put themselves or their colleagues at risk in a potentially violent situation.

Research shows that the quality of a worker's response can significantly influence the likelihood of individuals engaging in the change process. Workers need to support and empower individuals to strengthen their ability to promote the well-being of their children. At an initial stage this may mean acknowledging that the abuse is not their fault and reassuring them that they will receive help to resolve difficulties.

Individuals may feel they need permission to openly discuss the issues of conflict and abuse within their intimate relationships without feeling they are being judged or fear that their disclosure will lead to further violence, control or oppression.

Domestic abuse should be recorded as a specific concern on all referral and assessment forms. Those involved should be asked if they are safe at the moment and given appropriate advice if not.

If an individual attends a public building wanting help to flee domestic abuse, safety should be a priority. Whilst interviewing, ensure the safety of the parent and any children. This may mean alerting colleagues to the situation, providing somewhere safe for children to sit whilst their parent is interviewed and maintaining confidentiality regarding their whereabouts in the building.

The individual circumstances of a family should be taken into consideration where it is suspected a level of domestic violence and abuse exists. In some families, mutual adult violence is the norm, however there can be a variety of reasons why both adults may be violent and this needs to be carefully assessed. This will affect the assessment and intervention process as the risk to children will be increased in these circumstances.

Working with adults who are violent poses risks to workers. There should be a risk assessment of the situation with a manager and strategies agreed. This may require sharing with other agencies in order to protect workers. Where children are present, the child's welfare must always be paramount – if it is too dangerous for professionals consider what this means for children.

The most dangerous time for an individual is when they are planning or have actually left the violent situation. Workers should, therefore, move at the pace advised by the individual and provide supportive services after they have left the family home. Continued single or multi-agency intervention may well be required in addition to the support of a refuge.

Individuals who return to domestic abuse situations require more help, not less. Returning to the home and familiar situation should be seen as a normal response to separation and part of the process of change. An up to date risk assessment should be completed in these circumstances.

Workers in all agencies are in a position to identify or receive a disclosure about domestic abuse. Workers should ask direct questions about abuse and be alert to the signs that a child or parent may be experiencing or perpetrating domestic abuse. Any response by agencies to such referrals should be discreet in terms of contacting victims in ways that will not further endanger them or their child(ren).

Effective sharing of information between statutory and voluntary agencies is a vital part of positive response to abuse. Workers need to familiarise themselves with the local services available to victims of domestic abuse and their families in order to offer relevant services.

Workers should take a holistic approach to family support, including the provision of services appropriate to the issue of domestic abuse. Child concern matters should be discussed alongside domestic abuse and not treated as a separate factor. Where there has been significant harm caused or there is risk of significant harm, this will require a social work assessment.

The three central imperatives of any intervention for children living with domestic abuse are:

- To protect the child(ren), including unborn child(ren);
- To empower the victim to protect themselves and their child(ren); and
- To identify the abusive partner, hold them accountable for their abuse and provide them with opportunities to change.

The safety of the victim and children must take priority when planning intervention. This should include confidentiality regarding the family's whereabouts if they have left the home environment. Agencies should focus on the victim's safety and that of the children.

In line with the Framework for the Assessment of Children's Needs and their families, particular reference should be made to the context within which the child is being brought up. This should include the impact that domestic abuse has on the parents' ability to meet the needs of their child and the effect on the child's development of living with family abuse.

Having assessed the vulnerabilities and strengths of a family, workers should seek to provide services from statutory or voluntary agencies. An integrated service provision will best meet the needs of families living with domestic abuse. This may be met by use of current processes for assessing children's needs and completion of the DASH Risk Indicator Checklist (for adults), with a referral to MARAC if the criteria is met.

The use of interpreters should be carefully considered where there are issues of domestic abuse, to ensure that interpreters are not from their own community and that they have the relevant training. There are additional barriers to seeking help for members of ethnic minority groups, which require specific support and advice. Never raise the issue of domestic abuse unless the victim is alone.

Any risk assessment tool being used should be both culturally sensitive and explicitly consider the risks to the children. It should not be exclusively adult focused. The use of any risk assessment tool should be underpinned by a thorough analysis of the information otherwise available such as past history of offending. The risks should be interpreted to also determine the potential danger of the alleged perpetrator.

## Individual area arrangements

(See also [Section 5, Additional Local Information](#)).

Arrangements for managing domestic abuse will differ from area to area but in most cases where a family do not already have an allocated social worker, it will require a telephone referral in through the children's advice and duty service (CHAD) for signposting to other services, or for child in need or child protection assistance. It may be sufficient to complete an Early Help Assessment, or equivalent to secure assistance from other agencies depending on your area arrangements.

All workers should be aware of the inter-relationship between domestic abuse and the abuse or neglect of children. In all circumstances where the abuse of a child is suspected workers should be alert to the possibility of domestic abuse in the household. Where there is evidence of domestic abuse workers should seriously consider the implications for the children in the household.

Social workers must consider the safety of individual victims and children when making Section 47 enquiries.

Many parents are worried that disclosure of the level of domestic abuse will lead to removal of their children. Parents should be informed about what help is available to them which will enable them to protect themselves and promote the well-being of their children.

Where concerns persist parents should be provided with honest and clear information regarding the concern's workers have and the procedures that will be followed in order to protect their children. Individuals' rights should be outlined and information of organisations that can support her/him provided.

The inclusion of violent partners in formal decision making needs to be discussed with a line manager. Safety issues need to be balanced with any possible benefits of all relevant parties attending.

When planning a Child Protection Conference advice should be sought from Independent Reviewing Officers, and probation, regarding how best to meet the safety needs whilst promoting full involvement in the process:

1. Domestic abuse should be noted as a factor leading to concern about a specific child and not treated as a separate issue. The domestic abuse aspect should attract specific services in its own right and feed into the holistic assessment and intervention with each family.

Child protection conferences should be fully informed of the level of domestic abuse; clarifying the risks to the child from the presence of domestic abuse and any protective factors, which are available to the child. The written child protection Plan should include specific services aimed at the issue of domestic abuse. Subsequent child protection reviews should share information relating to the response to these services and reassess the level of concern for the child.

Child protection plans should outline clear expectations about behaviour and improvements that need to be demonstrated, which includes actions to help the perpetrator to understand and discuss their behaviour. It is not sufficient that there are no further reports of domestic abuse in any given period to end a child protection plan, unless there is a clear demonstration of the steps that have been taken to address the behaviour. All agencies should be wary of closing Child Protection Plans too quickly without evidence-based change.

Core Groups and any other inter-agency meeting should document and act upon any evidence of domestic abuse in families.

We must also consider how core group meetings and child protection conferences are conducted and if separate meetings to involve both parents/carers throughout the process are required to ensure the ongoing safety of the victim and child(ren) as well as support parties to comply with any conditions put into place by the police to further ensure safety.

All documentation referring to a family should carefully manage confidential information regarding the whereabouts of the victim, with or without children in their care, as disclosure of addresses may place them at risk. This would include child protection matters in court proceedings and all minutes of meetings;

2. Domestic abuse issues should be considered when planning family time for children as research suggests this is an area where intimidation and abuse can continue. The impact of such family time for the child should be carefully considered. This should involve eliciting the child's wishes and feelings regarding their family time with their absent parent and any impact such time has on the child's relationship with the resident parent.

## **Safety Planning**

Children's needs and the impact of domestic abuse on a child will vary. Workers need to engage in direct communication with a child/young person to understand their perspective. It will be important to ensure, where appropriate the child/young person is supported to keep safe when the need arises. One of the most effective ways to achieve this is completing a safety plan with the child/young person.

Safety planning with children/young people may include establishing:

- How to remain safe during an incident, i.e. not to intervene directly in the violence;
- Where they can go to use the telephone;
- Who they can talk to.

Safety planning with adults helps to focus on practical plans, which will aid at a time of need. This should include:

- Finding somewhere the victim could quickly use a telephone;
- Keeping a spare set of keys and some money in an easily accessible place;
- Keeping important documents, passports, benefit books etc. in a safe place;
- Carrying a list of emergency numbers;
- Talking to the children about emergency situations;
- Talking to a neighbour or friend who may be able to help in an emergency;
- Having a bag with clothes and toys packed;
- Children must be kept informed about what is happening in a way which is appropriate to their age and understanding.

## **The role of the Police**

All forces in England and Wales have special domestic abuse units. The Public Protection Investigation Unit works closely with Children's Services and Health. Once an incident is reported, it will be recorded and a specially trained officer will assess if the victim should be contacted to offer advice and/or further services. The Police should share information involving incidents of domestic abuse with Children's Social Care (CSC) and Health Referral and Assessment teams where the incident involves any of the following:

- Victim or alleged/perpetrator is known to be pregnant; (or has given birth within the last 12 months);
- Child Abuse marker (CA) on the address (AND there are vulnerability issues/concerns);
- A child/children under the age of 18 ordinarily resides in the household and a child has made a call for assistance (AND there are vulnerability issues/concerns);

- A child/children under the age of 18 years ordinarily resides in the household and it is the third reported incident within the previous 12 months (whether the child was present or not at the time of the incident) (AND there are vulnerability issues/concerns);
- Serious incident or Crime recorded (where, in the professional judgement of the officer, a concern warranting a referral exists);
- All incidents that involve a previous MARAC case with the last 12 months;
- Notification of CSC Open cases at request of CSC; or
- Domestic incidents with High Risk Status (DASH).

Officers will still have the ability to use professional judgement to make a referral which may fall outside of the above criteria, and to also use professional judgement to decide not to make a referral if there are other agencies better placed to support the family.

Social workers should always check records held by the Public Protection Investigation Unit regarding domestic abuse incidents as part of the gathering of information. The Data Protection Act 2018 limits the sharing of details but basic facts, i.e. the number of incidents, can be given. The Head of Service Child Protection can access more detailed information.

The Public Protection Investigation Unit can be asked for advice or help with joint visits where it is thought appropriate. They can also help to establish a personal alarm system for a small number of victims where the alleged perpetrator is out of the property but still poses a risk. A uniformed officer can be asked to prevent a breach of the peace whilst a victim and child leave the family home.

## Role of Housing

Housing services are one of the key agencies for families experiencing or fleeing domestic abuse and they should be included in care planning discussions. Positive consideration should be given to referrals across authorities where the applicant is fleeing domestic abuse. Victims are free to decline an offer to return home with the protection of a Non-Molestation Order or other Court order.

Housing workers should try to clearly lay out as many options for the applicant as possible, so that they can make an informed choice of what to do.

Housing workers should try not to be intrusive, however, they may ask for the history of domestic abuse and wish to liaise with other agencies. The housing code of guidance states "The fact that violence has not yet occurred does not on its own suggest that it is not likely to occur", therefore it should not be necessary for actual 'proof' of violence to be provided.

Many victims worried about their tenancy and household goods if they flee domestic abuse. Housing officers will advise them on possible options regarding securing their property and furnishings or relinquishing their tenancy, whichever they choose.

Positive consideration should be given to referrals across authorities where the applicant is fleeing domestic abuse. However, we must consider the impact of moving a family away from their support network and children's education provision alongside their safety before final decisions are made. Victims are free to decline an offer to return home with the protection of a Non-Molestation Order or other court order.

### 3. Domestic Abuse Protection Orders

**NOTE:** Domestic Violence Protection Orders (DVPO's) will be replaced by Domestic Abuse Protection Orders (DAPO's) and Domestic Abuse Protection Notices (DAPN's) in 2023 under [Domestic Abuse Act 2021](#).

They provide protection to victims by enabling the police and magistrates to put in place protection in the immediate aftermath of a domestic violence incident.

With DVPOs, a perpetrator can be banned with immediate effect from returning to a residence and from having contact with the victim for up to 28 days, allowing the victim time to consider their options and get the support they need.

Before the scheme, there was a gap in protection, because police couldn't charge the perpetrator for lack of evidence and so provide protection to a victim through bail conditions, and because the process of granting injunctions took time.

The introduction of the DAPN, like the current DVPN, will give victims immediate protection following an incident. A DAPN would be issued by the police and could, for example, require a perpetrator to leave the victim's home for up to 48 hours.

The introduction of the DAPO will offer flexible duration so that longer-term protection can be provided where necessary and proportionate.

DAPN's and DAPO's are being piloted in a small number of areas across the UK to assess the effectiveness and impact of the new model prior to national roll out.



## Other relevant Court Orders

**Restraining Orders** can be made by a court to protect a victim, victims or any other person from conduct that amounts to domestic abuse, harassment or stalking; for example, where someone has been convicted or acquitted of such an offence. Restraining orders can prohibit and place restrictions on someone from doing anything described in the order; for example, a person may be prohibited from coming within a certain distance of the victim's home.

**Stalking Protection Orders (SPOs)** issued under the Stalking Protection Act 2019 allow for early police intervention pre-conviction in stalking cases before stalking behaviours becomes entrenched or escalates in severity. However, they can be applied for at any point, not just pre-conviction. An application for such an order would be made to the court by the police.

The police should consider applying for an order where it appears to them that:

- The respondent has carried out acts associated with stalking;
- The respondent poses a risk of stalking to a person; and
- There is reasonable cause to believe the proposed order is necessary to protect
- the other person from that risk (the person to be protected does not have to have been the victim of the acts mentioned above).

**Forced Marriage Protection Orders** issued under Part 4A of the Family Law Act 1996 are granted by courts and can be applied for by the person who is to be protected by the order, a relevant third party or any other person with the permission of the court (including police). A Forced Marriage Protection Order is unique to each case and contains legally binding conditions and directions that change the behaviour of a person or persons trying to force someone into marriage. The aim of the order is to protect the person who has been, or is being, forced into marriage. The court can make an order in an emergency so that protection is in place straightaway.

**Female Genital Mutilation Protection Orders (FGMPOs)** issued under the Female Genital Mutilation Act 2003 offer a legal means to protect and safeguard victims and potential victims of FGM. FGMPOs are granted by a court and are unique to each case. They can be applied for by a person who has had or is at risk of FGM, a local authority, or any other person with permission from the court (including police).

**Non-molestation Orders** and occupation orders issued under the Family Law Act 1996 can only be applied for by the victim and made by the court. In certain circumstances, a non-molestation order can also be made by the court without an application having been made, as part of any family proceedings. However, the police can support orders through their response to incidents and how breaches are enforced.

## 4. Domestic Violence Disclosure Scheme

The [Domestic Violence Disclosure Scheme \(DVDS\)](#) (also known as 'Clare's Law') gives members of the public a formal mechanism to make enquires about an individual who they are in a relationship with, or who is in a relationship with someone they know, where there is a concern that the individual may be violent towards their partner. This scheme adds a further dimension to the information sharing about children where there are concerns that domestic abuse is impacting on the care and welfare of the children in the family.

Members of the public can make an application for a disclosure, known as the 'right to ask'. Anybody can make an enquiry, but information will only be given to someone at risk or a person in a position to safeguard the victim. The scheme is for anyone in an intimate relationship regardless of gender.

Partner agencies can also request disclosure is made of an offender's past history where it is believed someone is at risk of harm. This is known as 'right to know'.

If a potentially violent individual is identified as having convictions for violent offences, or information is held about their behaviour which reasonably leads the police and other agencies to believe they pose a risk of harm to their partner, the police will consider disclosing the information. A disclosure can be made if it is legal, proportionate and necessary to do so.

For further information, see [Domestic Violence Disclosure Scheme](#).

## 5. Additional Local Information

- **Practice Hub** dedicated Domestic Abuse page [Domestic Abuse \(stoke.gov.uk\)](#)
- **Staffordshire and Stoke on Trent Domestic Abuse Strategy- [Domestic Abuse Strategy 2021 2024.pdf](#)**
- **DASH and MARAC referral form – [www.staffsscb.org.uk/Agency-MARAC-Risk-Assessment-Referral-Form.pdf](http://www.staffsscb.org.uk/Agency-MARAC-Risk-Assessment-Referral-Form.pdf)**

## 6. Additional National Information

- [Domestic Abuse: Specialist Sources of Support \(GOV.UK\)](#): Nationalist Specialist Support Services contact details
- [Domestic Abuse help for children and young people](#)
- [Domestic abuse: how to get help](#): range of resources including, specialist services, guidance on Domestic Violence Disclosure Scheme and court orders, translated guidance and how to summon help and find a safe space
- [Statutory Guidance Framework: controlling or coercive behaviour in an intimate or family relationship](#)
- [Delivery of support to victims of domestic abuse in domestic abuse safe accommodation services](#): statutory guidance including Terms of Reference for Local Domestic Abuse Partnership Boards
- [Homelessness code of guidance for local authorities](#): guidance on providing homelessness services to people who have experienced or are at risk of domestic violence or abuse
- [Domestic Abuse Commissioner Website](#)
- [End the Fear](#): Help and support for anybody who is experiencing domestic or sexual violence
- [Galop](#): the LGBT+ anti-violence charity
- [Tackling Violence against Women and Girls Strategy](#)
- [SafeLives \(previously CAADA\)](#): resources library for professionals working with victims of domestic abuse and their families including MARAC
- [Operation Encompass Resources](#): police and education partnership enabling schools to offer immediate support to children experiencing domestic abuse
- [The Respect Phonenumber](#): tel 0808 802 4040 is an anonymous and confidential helpline for men and women who are abusing their partners and families. It is open Monday to Friday 9am to 8pm. The helpline also takes calls from partners or ex-partners, friends and relatives who are concerned about perpetrators
- [Women's Aid](#)
- [Refuge](#)
- [Legal advice for women](#)
- [Childline](#)
- [NSPCC](#)
- [Royal College of Nursing – Domestic Abuse: Professional Resources](#): provides links to websites and organisations providing relevant information and support to victims of domestic abuse

- [Supporting government guidance documents to the Domestic Abuse Act 2021](#)
- [Refuge's National Domestic Abuse Helpline](#)
- The [Men's Advice Line](#) run by Respect is a confidential helpline specifically for male victims.
- [Bright Sky](#) app is a mobile app and website for anyone experiencing domestic abuse, or who is worried about someone else. The app can be downloaded for free.
- [Safe Spaces](#) are also available in Boots, Morrisons, Superdrug and Well pharmacies, TSB banks and independent pharmacies across the UK. Once you are inside, specialist domestic abuse support information will be available for you to access.