Home Office

Ministry of Justice

Briefing Pack

Domestic Abuse Protection Notices and Orders

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The purpose of this document is to provide guidance to domestic abuse support services and local authorities on Domestic Abuse Protection Notices and Orders.

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Domestic Abuse Protection Notices and Orders

The Domestic Abuse Act 2021[1] received Royal Assent on 29th April 2021. Part 3 of the DA Act introduces Domestic Abuse Protection Notices (DAPNs) and Domestic Abuse Protection Orders (DAPOs). DAPOs are a joint policy shared between the Ministry of Justice and Home Office.

The aim of the DAPO is to bring together the strongest elements of the existing protective order regime into a single comprehensive, flexible order to afford longer-term protection for victims of all domestic abuse. **Our intention is for the DAPO to become the go-to protective order for domestic abuse.**

DAPOs have been piloted since November 2024 in Greater Manchester, three London boroughs (Croydon, Bromley and Sutton) and with the British Transport Police in those areas. DAPOs were expanded to Cleveland and North Wales in Spring 2025.

From 25 November 2026, DAPNs and DAPOs will be available in all police force areas and courts across England and Wales. Other protective orders, including Non-Molestation Orders (NMOs), Occupation Orders, Restraining Orders and Stalking Protection Orders, remain available where the relevant statutory requirements in respect of those protective orders are satisfied.

Domestic Violence Protection Notices (DVPNs) and Domestic Violence Protection Orders (DVPOs) will be retained for an initial six-month transition period following commencement of the DAPO national rollout on 25 November 2026.

The DAPO is the first order available in all court jurisdictions (criminal, family and civil) providing victims with different court routes to the order and an option to identity the most appropriate route. The decision to make DAPOs available in all courts stemmed from feedback received during the public consultation on the draft Domestic Abuse Bill and subsequent passage of the DA Act, which emphasised the importance of victims having more flexibility in accessing a protective order and allowing third parties the option to apply on behalf of victims.

Which courts will deal with DAPOs

Police-led DAPOs in the magistrates' courts

Like the existing DVPN, the DAPN is a police-issued notice that can be used to provide victims with immediate protection following an incident of domestic abuse. It can impose prohibitions and requirements necessary to protect the victim from future domestic abuse or the risk of domestic abuse, such as prohibiting the alleged

[1] https://www.legislation.gov.uk/ukpga/2021/17/contents/enacted

perpetrator from coming within a specified distance of the victim's home. If the police issue a DAPN, they must then apply for DAPO to the magistrates' court, and this application must be heard by the court within 48 hours of the DAPN being issued. If there is an adjournment, the DAPN continues to be valid until a DAPO is made. Police can also apply for a standalone DAPO without ever issuing a DAPN.

DAPOs in the family court

DAPOs are available on application by the victim or any third party with leave of the court. It is also available on application by the victim in any ongoing family proceedings which do not have to be domestic abuse related (where the victim and perpetrator are already parties to those proceedings) or on the court's own motion in such proceedings. This means that a victim who is already involved in family proceedings, for example children proceedings, may apply for a DAPO within those proceedings rather than issuing a separate standalone application. The procedure for family DAPOs is similar to the current processes used for NMOs, with elements of third-party applications that practitioners may be familiar with, through orders such as Female Genital Mutilation Protection Orders.

DAPOs in the civil (county) courts

DAPOs are available in limited circumstances in civil proceedings, as an ancillary order only – in ongoing county court proceedings which have been specified in regulations[2], including some types of property, financial, employment, personal injury and protective injunction cases, and where both the person to be protected and the perpetrator are parties to those proceedings.

DAPOs in criminal proceedings (magistrates' courts or the Crown Court)

DAPOs are available in criminal proceedings (magistrates' courts or Crown Courts) as an ancillary order, on conviction or acquittal for an offence, in a similar way to how a Restraining Order is currently available.

Key features:

1. **Broader scope**: DAPNs and DAPOs can be used to protect victims from all forms of domestic abuse as defined in the DA Act, not just from physical violence or the threat of physical violence. This may include sexual abuse, violent or threatening behaviour, controlling or coercive behaviour, economic abuse, and psychological or emotional abuse.

[2] https://www.legislation.gov.uk/uksi/2024/253/made

2. **Duration**: The DAPO does not have a minimum or maximum duration. This is to allow the courts to provide victims with the protection they require for as long as needed.

3. **Breach**: Breach of any DAPO requirement without reasonable excuse is a criminal offence, carrying a maximum penalty of up to 5 years' imprisonment, a fine, or both. Breach can also be dealt with as a civil contempt of court.

4. **Access**: DAPOs are available in family, civil and criminal proceedings as set out above.

5. **Prohibitions**: the DAPO may include, but is not limited to, prohibitions such as exclusion zones, prohibiting the perpetrator from entering certain areas.

6. **Positive requirements**: these can be programme-based or non-programme based and require the perpetrator to take specific action. From rollout, family and civil courts will not be able to impose programme based positive requirements. They will be available for police led DAPOs and DAPOs made in criminal proceedings. Non-programme based positive requirements will be available across all jurisdictions.

7. **Electronic monitoring (EM)**: The DA Act provides for electronic monitoring requirements to be imposed as part of a DAPO to support the monitoring of a perpetrator's compliance with other requirements of the order (e.g., to monitor compliance with an exclusion zone around the victim's house). The infrastructure required to deliver electronic monitoring is not yet available consistently across England and Wales and is therefore not currently available for a DAPO.

8. **Mandatory notification requirements of name and address.** The person subject to the order must notify the police of their name and address within three days from the day on which the DAPO is made, and any changes to these details within three days of the change. Failure to comply will mean breach of the order. Each DAPO will automatically carry this requirement.

9. **Police awareness**: DAPOs made in the family court are notified to the police and uploaded onto PNC directly by ACRO Criminal Records Office (a national police unit).

10. **Children**: Unlike NMOs, DAPOs can only directly protect a person aged 16 or over, although the court must consider the welfare of relevant children whose interests are relevant to the making of the order.

How DAPOs fit into existing order landscape

The table below shows how DAPOs compare to existing orders in a summary format:

	Jurisdictions where available	Who can apply / make an order	Conditions that can be imposed	Duration	Breach
Domestic Violence Protection Notice/Order	Magistrates' (civil proceedings)	Police	Restrictions and prohibitions	Maximum 28 days	Civil
Restraining Orders	Magistrates' or Crown Court (criminal proceedings)	CPS (usually working with the police), court of its own initiative	Restrictions and prohibitions	No specific limit	Criminal offence
Civil injunctions	County court or the High Court	Victim	Restrictions and prohibitions	No specific limit	Criminal offence
Stalking Prevention Orders	Magistrates' (civil proceedings)	Police	Restrictions and prohibitions Positive requirements Mandatory notification	No specific limit	Criminal offence
Non-Molestation Orders/Occupation Orders	Family	Victim	Restrictions and prohibitions Some positive obligations in relation to property (OOs)	No specific limit	NMOs – criminal offence, OOs – Civil
DAPOs	**Family** (standalone and within other ongoing proceedings– family court or the Family division of the High Court) **civil** (within other ongoing country court proceedings) **magistrates'** (civil proceedings, standalone or following a DAPN)	Victim and 3rd parties with leave in the family court Police in the magistrates' courts Court of own initiative in family, civil and criminal proceedings	Restrictions and prohibitions Positive requirements Electronic monitoring Mandatory notification of name and address	No specific limit	Criminal offence

	Magistrates' and Crown Court (in ongoing criminal proceedings)	On application by person to be protected within ongoing family and civil (county) proceedings			

Prohibitions and restrictions

The court must consider what requirements (if any) are **necessary** to protect the victim. The conditions can be tailored and address the perpetrator's abusive behaviour on a case-by-case basis.

The requirements of a DAPO must, **so far as practicable**, avoid conflict with the perpetrator's religious beliefs, work or education, or the requirements of any other court order which the perpetrator is subject to.

A DAPO lasts for a fixed period specified in the order, until a particular event occurs, or until the court makes a new order. The court decides how long each condition or requirement should last, but applicants and those acting on their behalf can make recommendations in respect of the duration of any DAPO requirement.

If the perpetrator is already subject to another DAPO, the court may specify that the new one takes effect when the previous one ends. However, if the perpetrator is subject to another protective order, like a NMO, a DAPO can still be made, providing the conditions of each order do not conflict, as far as the court is aware.

A DAPO can include various conditions; the following examples are not exhaustive.

a) Contacting or interacting with the victim via third parties. For example, the children, partner, other family members, friends or co-workers of the victim;

b) Hacking, monitoring or controlling the social media accounts, email, phone, computer, or other personal devices of the victim;

c) Engaging in any form of surveillance of the victim by any means. For example, monitoring the victim through drone surveillance, GPS tracking devices, or digital monitoring tools;

d) Interfering with or restricting the victim's access to goods, services or property;

e) Damaging or threatening to damage property belonging to the victim;

f) Cancelling or procuring goods or services in the name or account of the victim, or intentionally running up bills or debts in the name of the victim (with or without the knowledge of the victim);

g) Interfering with, restricting the victim's access to, or deliberately frustrating the disposal of joint assets;

h) Sharing or publishing, or threatening to share or publish, personal information or images relating to the victim;

i) Creating manipulated or synthetic material online relating to the victim;Making reference to the victim on social media either directly or indirectly;

j) Abusing, or threatening to abuse animals owned by the victim or perpetrator;

k) Using technology to track, monitor, harass, control or intimidate the victim, including through spyware, location-sharing applications, smart home devices, vehicle tracking systems or other connected technologies.

This list is not exhaustive.

Positive requirements

A DAPO may impose a positive requirement requiring the perpetrator to take a specified action. Positive requirements may be imposed alongside prohibitions where the court considers them necessary and proportionate to protect the victim from domestic abuse, or the risk of domestic abuse. Positive requirements may be programme-based or non-programme-based. The examples in this guidance are illustrative and do not limit the type of positive requirement that may be imposed. Examples of a programme-based requirement include attendance on a behaviour change programme, mental health or substance misuse intervention, or a non-programme-based requirement such as removing content relating to a victim from social media or returning keys to a property.

Programme-based requirements are currently only available for police-led DAPO applications and DAPOs made in criminal proceedings. They are not available for DAPOs made by the Family Court or in civil proceedings as currently there is no referral mechanism. In family and civil proceedings, positive requirements are therefore only able to consist of non-programme-based requirements tailored to the circumstances of the case.

Police are responsible for monitoring compliance with all positive requirements imposed as part of a DAPO, including non-programme-based positive requirements. Before proposing a requirement, consideration should be given as to whether

compliance can be appropriately monitored and how any suspected non-compliance would be identified and managed.

Electronic Monitoring requirements

The DA Act provides courts with the power to impose electronic monitoring ("tagging") requirements as part of a DAPO.

Electronic monitoring may be used to support monitoring compliance with certain DAPO requirements, such as an exclusion zone or a curfew, where the court considers it necessary and proportionate.

The infrastructure required to deliver electronic monitoring is not yet available consistently across England and Wales. As a result, electronic monitoring is not yet currently available for DAPOs.

This guidance will be updated once a consistent framework for the implementation of electronic monitoring for DAPOs is in place across England and Wales.

Mandatory Notification Requirements

Under a DAPO, the perpetrator must, within 3 days of the order being made, notify to the police their name and, where the perpetrator uses one or more other names, each of those names and their home address.

Any changes to a name or address must also be notified to the police within three days of the change.

How will a perpetrator notify?

The perpetrator must notify by attending a police station in their local police area, and giving an oral notification to a police officer, or to any person authorised for the purpose by the officer in charge of the station.

How do the police record a notification?

When the perpetrator provides a notification, they must, if requested to do so by the police officer or person designated by the officer in charge of the station, allow them to verify their identity by taking their fingerprints and/or their photograph.

Notifications from the family and civil court

For DAPOs made in the family and civil courts, the police will not be involved in the court proceedings. To ensure that the police are aware of DAPOs made in the family and civil courts:

- In the family court, all orders will be automatically notified to the police to inform that a DAPO has been made.
- In the civil court, all orders will be manually sent to the police via email from the court.

Police are expected to review the DAPO upon receipt ensuring appropriate safeguarding, risk management and enforcement activity where appropriate.

Breach of a DAPO

Breach of any DAPO requirement without reasonable excuse is a criminal offence, carrying a maximum penalty of up to 5 years' imprisonment, a fine, or both.

Breach can also be dealt with as a civil contempt of court. Civil contempt of court is a court enforcement process used where a person is alleged to have failed to comply with a court order. This does not apply to an order made by a magistrates' court which does not have the power to punish for civil contempt. Breaches of magistrates' courts orders should therefore always be dealt with by arrest and charge for the criminal offence.

In DAPO cases, where the police and CPS do not pursue criminal charges following breach of a DAPO, the victim and other parties to the proceedings (e.g. social services) may be able to bring proceedings against the perpetrator as contempt of court in civil proceedings.

A breach cannot be punished as a contempt of court and an offence, and vice-versa. This is to ensure that the subject of a DAPO is not punished twice for the same failure to comply with the requirements of the order.

The process for prosecuting a breach of a DAPO is the same regardless of which court the DAPO is made in.

Appeals

DAPOs made in the family and civil courts will be appealable through those courts in accordance with the usual appeal routes. DAPOs made by a magistrates' court are appealable to the Crown Court, and DAPOs made by the Crown Court are appealable to the Court of Appeal. Sections 46 and 47 of the Act set out the appeal provisions.

Following a successful appeal, the court may confirm, vary or revoke any part of the decision appealed against, or refer the matter back to the lower court and direct it to reconsider its decision

Legal Aid

As DAPOs are civil orders, civil legal aid for legal representation is available for DAPOs, subject to passing the relevant means and merits tests. Criminal legal aid will also be available in certain situations, such as where a DAPO is made as part of criminal proceedings or where a perpetrator is prosecuted for breaching a DAPO.

Further information on the availability of civil legal aid for DAPOs is set out in the "2024 Standard Civil Contract – DAPO Pilot Scheme Specification" which can be found here:

https://assets.publishing.service.gov.uk/media/682c7cbed112b221dce8ecf2/DAPO_Pilot_Scheme_Specification__Section_19__-_Clean.pdf.

Information on criminal legal aid is set out in the "2025 Standard Crime Contract - Specification" which can be found here: https://assets.publishing.service.gov.uk/media/68dbbece750fcf90fa6ffc1f/2025_Crime_Specification_-_Version_1__Effective_from_1_October_2025_.pdf

Victim consent for obtaining a DAPO and the role of a third party applicant

The DA Act allows for a DAPO to be made with or without the victim's consent, in order to protect those victims who may not be able to make their own application or who are at the risk of being coerced to withdraw their support for an order.

For police-led applications, police are obliged to take into account the opinion of the victim when issuing a DAPN. For all DAPOs, regardless which court they are made in, the court will consider the opinion of the victim.

When a third party, such as a friend, relative or an organisation, wishes to bring an application on the victim's behalf in the family court, they are required to provide information on the victim's opinion, including whether a victim has given consent. This information must be provided when completing the DA2 – Application for leave to apply for a domestic abuse protection order (DAPO) – form. The form is available on GOV.UK here: https://www.gov.uk/government/publications/ask-for-permission-to-apply-for-a-domestic-abuse-protection-order-on-behalf-of-someone-else-form-da2.

Children

The DAPO does not directly provide protection for children under 16. If there is a need to protect a child directly, a separate court order may be applied for, such as a contact order/residence/prohibited steps order under section 8 of the Children Act 1989, or in some cases it may still be more appropriate to obtain a NMO. During ongoing family proceedings, a DAPO can be made if the court becomes aware of the need to protect a person from domestic abuse.

Advice and support for organisations

If you are a victim support service, or a local authority professional, and need advice about your client's case, in relation to a potential DAPO application, you can contact FLOWS (Finding Legal Options for Women Survivors). This service is delivered by RCJ Advice (Royal Courts of Justice Citizens Advice) and covers England and Wales. FLOWS are a specialist legal service, funded by the Ministry of Justice, to assist victims and survivors to obtain protective orders in the courts. The service can provide advice and support to professionals and it accepts case referrals. The service is able to assist all victims, whether or not they are eligible for legal aid.

Please make the client referral via the following page https://referral.flows.org.uk/.

If you are acting as the third party, bringing a case on the victim's behalf in the family court, you can also ask for FLOWS advice – please make contact via https://self-referral.flows.org.uk/.

Key Contacts

Ministry of Justice
Please direct all enquiries to a shared mailbox. The mailbox will be monitored by the Ministry of Justice DAPO team: DAPOTeam@justice.gov.uk