Ministry of Justice

Domestic Abuse Protection Notice & Order

FAQ

October 2026 (Version 1.1)

Introduction

1. The Domestic Abuse Protection Notice (DAPN) and Domestic Abuse Protection Order (DAPO), introduced by the Domestic Abuse Act 2021 (the DA Act), will be rolled out to all police forces and courts across England and Wales in November 2026. A pilot for DAPNs and DAPOs launched on 27 November 2024, and the orders are currently operational in Greater Manchester, three London boroughs (covering Croydon, Bromley and Sutton), Cleveland, North Wales and the British Transport Police in those areas.

2. The DAPN and DAPO are intended to provide stronger, more flexible protection for victims of domestic abuse and to disrupt perpetrators' behaviour. They are designed to simplify the protective order landscape and support a more consistent response across agencies.

3. Local authorities and domestic abuse support services play an important role in identifying victims who may benefit from a DAPO and supporting applications to the family court. With permission from the court, organisations and professionals may apply for a DAPO on behalf of a victim, helping ensure that victims can access protection even where they are unable or unwilling to apply themselves.

4. This document provides a high level Frequently Asked Questions (FAQs) on the DAPN and DAPO. It is intended for local authority practitioners, independent domestic violence advisers (IDVAs), domestic abuse support services, housing professionals, safeguarding practitioners and other organisations considering bringing a DAPO application on behalf of a victim.

Helpful links:

- Domestic Abuse Act 2021
- Guidance for Victims *Please note that minor amendments will be made to this guidance ahead of rollout.*
- DAPO application forms with form completion guidance and witness statement templates (family and civil courts): www.gov.uk/guidance/apply-for-a-domestic-abuse-protection-order-in-a-family-court and www.gov.uk/guidance/apply-for-a-domestic-abuse-protection-order-in-a-county-court. *Please note that minor amendments will be made to these forms ahead of rollout.*
- FLOWs (Finding Legal Options for Women Survivors)

- Legal aid: 2024 Standard Civil Contract – DAPO Pilot Scheme Specification: https://assets.publishing.service.gov.uk/media/682c7cbed112b221dce8ecf2/DAPO_Pilot_Scheme_Specification__Section_19___-_Clean.pdf and 2025 Standard Crime Contract - Specification: https://assets.publishing.service.gov.uk/media/68dbbece750fcf90fa6ffc1f/2025_Crime_Specification_-_Version_1__Effective_from_1_October_2025_.pdf

FAQ

Section 1: Understanding DAPOs

What is a DAPN and DAPO?

The Domestic Abuse Act 2021 (the DA Act) introduced new Domestic Abuse Protection Notices (DAPNs) and Domestic Abuse Protection Orders (DAPOs).

A DAPN can be issued by police to provide immediate protection to victims (aged 16 and over) of domestic abuse. It imposes legally binding conditions on the perpetrator (aged 18 and over). If issued, police must apply for a DAPO, to be heard at a magistrates' court within 48 hours.

A DAPO is a civil order and can be made by a court to protect victims from all forms of domestic abuse. A DAPO places legally binding restrictions and/or requirements on a perpetrator, for example, staying away from the victim or notifying police of their details. A victim's consent is not required for a DAPO to be made where the court considers the order necessary to protect them. However, where possible, the victim's views should be sought. Where the court is aware of those views, it must take them into account when deciding whether to make the order and in determining its terms.

Why has a new protective order been introduced?

The current landscape of orders can be confusing for victims. The DAPN and DAPO bring together the strongest elements of existing protective orders into a single, comprehensive, flexible order to provide more effective and longer-term protection to victims of all forms of domestic abuse, not just physical violence. The intention is that the DAPO will become the 'go to' protective order in domestic abuse cases.

What are the core features of the DAPO?

- *Applies to all domestic abuse*: 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.

- *Flexible duration*: the DAPO does not have a minimum or maximum duration, which allows the courts to give victims the protection they require for as long as they need.

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

- *Applications and court routes*: DAPOs are the first protective order available across all court jurisdictions – criminal, family and civil – ensuring victims can receive protection wherever their case is being heard:

    - Police-led DAPOs in the magistrates' courts: police applications for a DAPO are made to a magistrates' court (to be heard within 48 hours of issuing a DAPN, excluding Sundays and bank holidays) or can be made as a standalone application.

    - DAPOs in the family court: applications may be made by victims or any third party with leave of the court to the family court. DAPOs are also available on application by the victim in any other ongoing family proceedings (where the victim and perpetrator are already parties to those proceedings) or on the court's own motion in such proceedings.

    - DAPOs in the civil (county) courts: DAPOs are available in ongoing county court proceedings specified in regulations, including some types of property, financial, employment, personal injury and protective injunction cases, where the victim and perpetrator are already parties to those proceedings.

    - DAPOs in criminal proceedings (magistrates' courts or the Crown Court): DAPOs are available in criminal proceedings on conviction or acquittal for an offence, in a similar way to how a Restraining Order is available, and the Crown Court may make a DAPO where it has allowed an appeal against conviction.

- *Positive requirements & prohibitions*: DAPOs can impose a wide range of prohibitions and requirements tailored to the circumstances of the case. These may include exclusion zones, electronic monitoring and positive requirements such as attendance on perpetrator behaviour change programmes. In addition, all DAPOs impose mandatory notification requirements so that the person subject to the order must notify the police of their name and address and any changes to such details within 3 days of the making of the order.

How does a DAPO differ from a Non-Molestation Order?

The table below sets out the core differences.

At the moment, DAPOs can only protect a person who is aged 16 or over. This means that where direct protection for a child is required, practitioners should continue to consider other protective orders, such as a Non-Molestation Order (NMO).

We are exploring legislative changes to extend DAPOs so they can directly protect children in future.

	NMOs	DAPOs
Definition of abuse	'Molestation' has been broadly interpreted in case law and can include: - Acts and threats of violence - Conduct regarded as such a degree of harassment that the intervention of the court is required	Statutory definition of domestic abuse: physical or sexual abuse, violent or threatening behaviour, controlling or coercive behaviour, economic abuse, and psychological, emotional or other abuse (Section 1 DA Act)
Who can apply	Victim of any age (but a child under 16 needs leave of the court)	Victim aged 16 or over only Any third party (organisation or individual) with leave of the court - section 28(2)(d) DA Act
Who can be protected	Victim who is "associated" (as defined in s.62 Family Law Act 1996) with the perpetrator together with any relevant children (as defined in the same section).	Victim aged 16 and over – section 32(2) who is "personally connected" (as defined – section 2 DA Act) to the perpetrator
Who can they be made against	A person of any age	A person aged 18 and over
Other conditions	Restrictions and prohibitions	Restrictions and prohibitions ***plus*** - A requirement for the person subject to a DAPO to notify the police of their name, any aliases, and their home address and any changes to those (s.41 DA Act) - Positive requirements (e.g. attendance on a course) - optional - Electronic monitoring to monitor compliance with requirements - optional

How do DAPOs interact with Occupation Orders?

DAPOs may include conditions relating to a property or a person's access to a property where the court considers those conditions necessary to protect the victim from domestic abuse or the risk of domestic abuse.

However, DAPOs do not replicate all the provisions available under an Occupation Order. Occupation Orders contain specific powers relating to occupation of the family home and can regulate property and occupation rights under the Family Law Act 1996.

How does the legal test for making a DAPO compare to a Non-Molestation Order?

A DAPO may be made where the court is satisfied, on the balance of probabilities, that the perpetrator has been abusive towards the victim and that the order is necessary and proportionate to protect the victim from domestic abuse or the risk of domestic abuse.

A Non-Molestation Order may be made by the family court to prohibit an individual from ‘molesting’ another person to whom they are associated or a relevant child. In deciding whether to exercise its powers, the court will have regard to all the circumstances of the case, including the need to secure the health, safety and well-being of the applicant and any relevant child.

Can the court accept undertakings instead of making a DAPO?

DAPO proceedings do not specifically provide for undertakings as an alternative to a DAPO in the way that Non-Molestation Order proceedings do.

DAPOs were designed to provide a consistent and enforceable framework for victim protection. Where the statutory test for making a DAPO is met and the court considers an order necessary, it must decide whether to make the order rather than accepting an undertaking from the perpetrator.

When should I consider a DAPO rather than another protective order?

DAPOs are intended to become the primary protective order for victims of domestic abuse and should therefore be considered as the default protective order in domestic abuse cases. They offer a broader and more flexible framework than some existing domestic abuse protective orders, including the ability to impose both prohibitions and positive requirements, and provide access through multiple application routes and court jurisdictions.

However, practitioners should consider the circumstances of the individual case and whether another order may currently provide protections that are not available through a DAPO. In particular, NMOs can directly protect children, and Occupation Orders can contain specific provisions regulating property rights. Where these issues arise, practitioners should consider carefully which protective order is most appropriate.

Section 2: Third-party applications

When should I consider a DAPO?

You may wish to consider a DAPO where:

- the victim is aged 16 or over;
- the victim and perpetrator are personally connected;
- protection is needed to protect the victim from any form of domestic abuse or the risk of domestic abuse;
- the victim is unable, unwilling or unsafe to make an application themselves.

Where appropriate, consideration should also be given to whether the victim has been offered or signposted to specialist domestic abuse support services, recognising that a DAPO may form part of a wider package of protection and support.

Can I apply for a DAPO on victim's behalf?

Yes, section 28(2)(d) of the Domestic Abuse Act 2021 allows anyone who has obtained permission from the family court to apply for a DAPO on victim's behalf. This could include domestic abuse support workers, social workers, health professionals and local authorities. They need to provide their name as well as the name of the organisation they are applying on behalf of. They need to complete an application for permission form DA2 and attach a DAPO application form DA1 – these forms are available on GOV.UK: https://www.gov.uk/guidance/apply-for-a-domestic-abuse-protection-order-in-a-family-court

We will be providing updated guidance for support services and local authorities.

How do I obtain permission from the court?

To apply on behalf of a victim, an organisation must first seek the court's permission by submitting Form DA2 alongside the substantive DAPO application (Form DA1).

When considering whether to grant permission, the court will consider the circumstances of the case, the relationship between the applicant and the victim, the views of the victim where known, and whether the application is being brought in the interests of victim protection.

Further guidance on completing the forms is available on GOV.UK.

What evidence can support a DAPO application?

A witness statement should be completed along with the DAPO application form and DA2 permission to apply form. The witness statement is designed to include all the information that is needed by the court to consider the application. Additional evidence can be attached to the statement as exhibits, which may include, for example:

- medical reports
- social services letters or reports
- print outs of text messages
- emails.

Who should be the applicant in a multi-agency case?

Where several agencies are involved with a victim, partners should consider which organisation is best placed to act as the applicant. Relevant factors may include the nature of the agency's involvement with the victim, access to evidence, ability to attend court, organisational capacity to manage proceedings, and ongoing responsibility for case management and victim support.

In many cases, the most appropriate applicant will be the agency with the closest involvement in the victim's case and the best understanding of the risks and safeguarding needs. Agencies are encouraged to work together to ensure the most appropriate organisation leads the application while drawing on multi-agency evidence and expertise. Multi-agency forums, such as MARACs, may assist in identifying the most appropriate lead applicant.

Where specialist domestic abuse services are involved, agencies should consider how their expertise can inform decision-making, risk assessment and victim safeguarding, even where they are not acting as the formal applicant.

In most cases, only one organisation should act as the formal applicant. However, other agencies may contribute evidence, witness statements, risk assessments or safeguarding information to support the application.

When should a third-party application be considered?

A third-party application may be appropriate where a victim is unable, unwilling or unsafe to make an application themselves, but protection is still required. The court will consider whether making a DAPO is necessary and proportionate to protect the victim from domestic abuse or the risk of domestic abuse, the welfare of any person under the age of 18 whose interests the court considers relevant to the making of the order, and the opinion of the victim.

Can a victim apply for a DAPO themselves?

Victims may apply for a DAPO directly through the family court. A third-party application may be appropriate where the victim is unable, unwilling or unsafe to make an application themselves, or where another organisation is better placed to progress the application on their behalf.

Does the victim need to consent to a third-party application?

Wherever possible, practitioners should seek and record the victim's views. However, a victim's support for an application is not required for a DAPO to be made where the court considers the order necessary to protect them. The court will consider the circumstances of each case and the opinion of the victim.

Where a victim does not wish to engage directly with a specialist domestic abuse service, organisations may still wish to seek specialist advice either through a direct referral or as an expert consultant to other services and professionals.

Can victims and applicants access Welsh-language forms and proceedings?

Individuals using the courts in Wales may communicate with the court in Welsh and can request Welsh-language services in accordance with HMCTS and judicial arrangements. Welsh versions of relevant forms and guidance will be made available in compliance with HMCTS' Welsh Language Scheme.

Can children be protected by a DAPO?

DAPOs can only provide direct protection to victims aged 16 and over, which means children cannot be named in a DAPO. The court must nevertheless consider the welfare of any child whose interests are relevant to the application. Where direct protection for a child is required, alternative protection orders in the family court should be considered such as Non-Molestation Orders. The Government is seeking to legislate so that DAPOs can provide direct protection for children in the future.

Will there be court fees for DAPO applications?

No, not for third party or victim led applications. This will ensure that victims are not prevented from seeking protection due to financial barriers.

Court fees will apply to police-led DAPO applications.

Is legal aid available?

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.

Section 3: Supporting Victims and Managing Applications

What support should be offered alongside a DAPO application?

Organisations applying for a DAPO on behalf of a victim should consider what wider support may be needed alongside the application.

Where appropriate, victims should be offered information about specialist domestic abuse services, safety planning, housing support, counselling and advocacy services, and any other relevant local support. Consideration should also be given to the needs of any children affected by the abuse.

Victims should also be provided with information about the DAPO process, the protections available under the order, and how to report any breaches. Support should be tailored to the victim's individual needs and circumstances. This can be found in the guidance for victims which can be accessed here: http://www.gov.uk/guidance/domestic-abuse-protection-notices-dapns-and-domestic-abuse-protection-orders-dapos (please note that minor amendments will be made to this guidance ahead of rollout).

Will anyone help me (the third party) or a victim make the application?

FLOWS (Finding Legal Options for Women Survivors), a specialist legal service delivered by the RCJ Advice, operates across England and Wales and can accept client referrals, whether or not the victim is eligible for legal aid. Referrals can be made via: https://referral.flows.org.uk/

If you are acting as a third party applicant considering or pursuing an application on a victim’s behalf in the family court, you can also seek advice from FLOWS via: https://self-referral.flows.org.uk/.

You can also make referrals to your local organisations.

What happens after a DAPO is granted?

Once a DAPO has been made (and if made without notice, is aware of the existence of the order) the perpetrator must comply with all the requirements set out in the order.

Third-party applicants should continue to consider the victim's safety and support needs following the making of the order. The victim should be given a copy of the order and any additional information which may help them understand the terms of it including, how long it will remain in force, and what to do if they believe it has been breached. Where a DAPO is served on the victim (and the victim is not the applicant), it must be accompanied by a notice informing them how to apply to be joined as a party to the proceedings; and how to make an application to vary or discharge the DAPO; and of their right to make representations orally or in writing at any subsequent hearing.

If concerns remain about the victim's safety as a DAPO approaches its expiry date, an application can be made to vary the order, including extending its duration where appropriate. If the order has already ended, a new application may be made.

Section 4: DAPO Operation

What conditions can the court include in a DAPO?

The conditions included in a DAPO will depend on the circumstances of the case and the risks identified. The court may impose any requirements it considers necessary to protect the victim from domestic abuse or the risk of domestic abuse, so they will be tailored to meet the needs of the victim. Examples of conditions are:

- no direct or indirect contact with the victim;
- exclusion from a property or geographic area;
- a requirement to participate in an assessment (this can only currently be ordered in police led applications or DAPOs made in criminal proceedings);
- a requirement to take a positive action, such as removing content relating to the victim from social media or providing keys to a property;
- electronic monitoring to monitor compliance with other terms of the DAPO;
- police notification requirements (these are mandatory in every DAPO).

The court may combine multiple restrictions and requirements within a single order.

What happens if the perpetrator breaches a DAPO?

Breach of a DAPO without reasonable excuse is a criminal offence punishable by up to five years' imprisonment, a fine, or both. If the victim, applicant or any other person becomes aware of a breach, it should be reported to the police. The police will investigate any reported breach and, where appropriate, work with the Crown Prosecution Service to determine whether criminal charges should be brought.

Breach may also be dealt with in the family court, county court or High Court as a civil contempt of court.

Can I request programme based positive requirements?

Programme based positive requirements are an important feature of DAPOs, enabling courts to address the root causes of abusive behaviour through measures such as behaviour change programmes and mental health and substance misuse interventions.

From rollout, family and civil courts will not be able to impose programme based positive requirements as currently there is no referral mechanism. This means that, if you are

making an application to the family court, you cannot request that programme based positive requirements are imposed.

Police forces will need to have an understanding of the interventions and providers available within their local area when considering potential positive requirements in a DAPO application.

The Government recognises that provision of perpetrator programmes varies across England and Wales and work is underway to strengthen programme provision, including through a national competition for intervention services for domestic abuse and stalking. We are also working at pace with policing and other partners to finalise the operational processes, guidance, and key principles that will support the consistent use of positive requirements at the point of national rollout.

Can I request electronic monitoring?

Electronic monitoring (EM) will not be available from the start of national rollout in November 2026. EM is expected to be available from early 2027, allowing time to ensure the necessary provider capacity and operational arrangements are in place to support effective delivery.

Further information on the national operating model, eligibility criteria, and operational processes for EM will be shared ahead of implementation.

Can a DAPO be varied or discharged?

A DAPO can be varied or discharged by the court. Applications may be made by the person protected by the order, the perpetrator, the police, or, where the DAPO was originally obtained under section 28 of the DA Act, the person or organisation that applied for the order. This means that a third-party applicant may apply to vary or discharge a DAPO that they originally obtained on the victim's behalf. The court may also vary or discharge a DAPO of its own initiative in circumstances where it has the power to make a DAPO without an application.

Changes introduced by the Crime and Policing Act 2026 (section 142) will enable the magistrates' courts and Crown Court to vary a DAPO of their own motion. In the family and civil jurisdictions, courts already have the ability to vary a DAPO of their own motion through their existing case management powers and inherent jurisdiction.

Applications should normally be made to the court that made the original order. Where a DAPO was made in the family court, proceedings in respect of the variation or discharge of the order can, if necessary, take place at any location where the family court sits.

Where the order was made by a magistrates’ court, an application to vary or discharge the order may be made to any other magistrates’ court acting in the local justice area in which that court acts.

When considering an application, the court will assess whether the order remains necessary to protect the victim from domestic abuse or the risk of domestic abuse. Where the victim themselves is seeking a variation that would make the order less onerous or to discharge the order, the court must first hear from the victim. Before seeking to vary or discharge a DAPO, third-party applicants should consider the victim's views, safety and ongoing support needs, and be prepared to explain why the proposed change remains consistent with the victim's protection and safeguarding. To support this, local authorities may wish to engage in local multi-agency court working groups and other partnership arrangements, to help ensure effective information sharing and a shared understanding of risk when DAPO applications, including applications to vary or discharge an order, are considered.

Section 5: Rollout and Implementation

What has the DAPO pilot shown so far?

In the short time since these orders have been available, we are already seeing how they are making a significant difference in protecting victims and holding perpetrators to account. Victims are being protected from all forms of domestic abuse including coercive and controlling behaviour and economic abuse and conditions are being applied, including electronic monitoring and positive requirements, such as attending behaviour change programmes.

Alongside delivery of the pilot, an ongoing process, impact, and value-for-money evaluation has been conducted. Interim findings from the process evaluation indicated that stakeholders believe that:

- The use of DAPOs is more prevalent in magistrates' courts than in family or civil courts.
- It is encouraging that DAPN/DAPOs have been applied for in cases of coercive and controlling behaviour, financial abuse, and stalking – demonstrating their ability to protect victims from a wide range of forms of domestic abuse.
- There is a strong potential for DAPOs to reduce harm and support perpetrator behaviour change if referrals to programme based positive requirements increase.

The full evaluation findings are due in November this year, and we aim to publish a final report in early 2027.

Why has this timeline for rollout been set?

The timeline for DAPO rollout reflects the Government's view that DAPOs provide important additional protection for victims of all forms of domestic abuse and strengthen the ability to hold perpetrators to account. We recognise this is an ambitious timeframe, but it reflects the priority placed on making these protections available as soon as possible, so that victims across England and Wales can benefit from them.

What will happen to existing protective orders?

There will be an initial six-month transition period following national rollout during which both Domestic Violence Protection Notices/Domestic Violence Protection Orders and DAPNs/DAPOs will operate in parallel. This has been put in place following concerns from policing and other partners regarding the timing of repeal and the importance of ensuring any transition is managed safely and effectively and that DAPOs are working effectively before existing powers are removed. A key priority is ensuring there is no gap in protection for victims during the transition to the new DAPO regime.

Other protective orders, such as Non-Molestation Orders, Occupation Orders and Restraining Orders, will remain available. The Government is continuing to consider the future interaction of DAPOs with the wider protective order landscape.

What work is being done with the domestic abuse sector and local authorities for DAPN/DAPO rollout?

The Home Office and Ministry of Justice recognise the important role of the domestic abuse sector and local authorities in supporting the successful implementation of DAPNs and DAPOs.

We have encouraged partners to engage with domestic abuse organisations, specialist service providers and local authorities in their local areas to support the effective implementation of DAPNs and DAPOs and help ensure victims receive appropriate support.

We are engaging the domestic abuse sector through established forums, including the ministerial-led Violence Against Women and Girls Strategy Advisory Board (VSAB) and the VAWG Stakeholder Quarterly Meeting.

We are also working closely with key stakeholders to ensure that operational learning, victim perspectives and practitioner expertise inform the ongoing development of DAPN/DAPO policy and implementation.

We have shared communications with local authorities via MHCLG. The LGA and Welsh LGA have also shared information separately with their networks including:

- Community Safety Advisors Networks (mainly council officers working in Community Safety Partnerships).

- Domestic Abuse and Related Death Review Forum (mainly council officers working in domestic abuse commissioning, but also people in police, OPCCs and health).

Guidance for support services and local authorities will be shared in due course. We are also updating the victim and perpetrator guidance documents.