



Content trigger warning: this post contains details of abuse

Domestic Abuse Act 2021

The Domestic Abuse Act 2021 brings positive additions to the current law protecting those facing domestic abuse and holding abusers responsible.

What are some of the new additions?

1. Legal definition of domestic abuse

The Act now states what "abusive" behaviours are:

- Physical or sexual abuse
- Violent or threatening behaviour
- Controlling or coercive behaviour
- Economic abuse
- Psychological, emotional or other abuse

This definition highlights that **domestic abuse is not just physical violence** – other types of behaviours listed above are domestic abuse too.

Children are also recognised as victims of domestic abuse in this definition.

2. Domestic Abuse Commissioner

The Act establishes the office of an independent Domestic Abuse Commissioner. They are responsible for:

- Leading and monitoring domestic abuse services in England and Wales
- Improving support and protection for people affected by domestic abuse
- Increasing public education about domestic abuse
- Making recommendations directly to the government



3. Powers for dealing with domestic abuse

The Act introduces two new injunctions:

- *Domestic Abuse Protection Notice (DAPN)*: for immediate protection after an incident of domestic abuse
- *Domestic Abuse Protection Order (DAPO)*: for flexible and long-term protection of the victim

DAPO can enforce **positive requirements** on the abuser, such as attending alcohol/substance misuse programmes or mental health assessments. These requirements can be varied by courts to respond to changes over time in the abuser's behaviour and the risks they pose.

4. Local authorities support

The Act **places a duty on local authorities** to support victims of domestic abuse and their children by ensuring they are placed in refuges and other safe accommodations.

Local authorities also have to provide the following types of domestic abuse support:

- Children support such as therapy and advocacy
- Housing-related support and advice
- Counselling and therapy for both adults and children
- Domestic abuse prevention advice
- Advocacy support such as communicating with other services such as GP and social workers
- Specialist support for victims with protected characteristics or needs such as interpreters, mental health advice and immigration advice

5. Protection in legal proceedings

The Act provides new protections in the family and civil courts for victims:

- Abusers cannot **cross-examine** their victims
- Guaranteed access to **special measures** such as separate waiting rooms, giving evidence from behind a screen or using a live video link



6. New offences

The Act extends offences to cover:

- Coercive control suffered **after separation**
- **Threats to disclose** private sexual photographs and films (known as "revenge porn")

The act also created a new offence of **non-fatal strangulation, including suffocation** affecting a person's ability to breathe.

What does the Domestic Abuse Act 2021 bring?

- ✓ The new additions this Act brings to the law can help more escape abusive relationships and find suitable support for themselves and their children.
- ✓ It will help law enforcement to hold abusers accountable for their actions and ensure they can receive appropriate responses to their behaviour.
- ✓ Local authorities and charities will have more resources to give necessary assistance and overall increase the public's awareness of domestic abuse.
- ✓ The Domestic Abuse Commissioner will represent people facing domestic abuse, reporting to the government, and helping to shape better responses and laws in response to growing needs.



More help

Find your local free legal advice centre [here](#).

Toynbee Hall's Free Legal Advice Centre offers a women-only service on the first and third Saturday of every month. The dedicated team of female advisors are specifically trained to deal with women that are facing difficult situations. Interpreters can be arranged if requested.

If you need free one-off legal advice, you can fill in this form by the Free Legal Advice Centre (FLAC) of Toynbee Hall: <https://www.toynbeehall.org.uk/free-advice/legal-advice/#online-flac-ia-form> or you can email FLAC here: flac@toynbeehall.org.uk

Please state if you have safe words so you are not put at risk when speaking to the advisors.



Sources:

- <https://www.legislation.gov.uk/ukpga/2021/17/part/1/enacted>
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