



SAFEGUARDING, DISCLOSURE & PERSONAL SAFETY

The Domestic Abuse Act 2021

Understanding domestic abuse, legal recognition
and protection.

The key idea

The Act created a statutory definition of domestic abuse that goes beyond physical violence. It recognises controlling or coercive behaviour, economic abuse and children who experience the effects of domestic abuse as victims in their own right.

What did the Domestic Abuse Act change?

The **Domestic Abuse Act 2021** created a statutory definition of domestic abuse and introduced or strengthened a range of measures intended to improve recognition, protection and support. The statutory guidance applies primarily in England, with parts applying in Wales where the subject is reserved to the UK Government.

Domestic abuse is broader than physical violence

For the Act, abusive behaviour can include **physical or sexual abuse, violent or threatening behaviour, controlling or coercive behaviour, economic abuse, and psychological, emotional or other abuse**. It may be a single incident or a course of conduct.

Who must be involved?

For the statutory definition, the person behaving abusively and the person experiencing the abuse must each be aged **16 or over** and be **personally connected**. They do not have to live together.

Personally connected

This can include current or former spouses or civil partners, people who are or have been in an intimate personal relationship, people who share a parental relationship to a child, and relatives.

Is domestic abuse itself one criminal offence?

No. The Act's definition helps identify domestic abuse across systems, but domestic abuse is not one single criminal offence. Particular behaviour may amount to offences such as assault, stalking, harassment, sexual offences or controlling or coercive behaviour.

Recognition and criminal liability are different questions

Behaviour can fall within the statutory understanding of domestic abuse without every incident necessarily resulting in a criminal charge. Safeguarding and support should not depend solely on whether a prosecution occurs.

Understanding different forms of abuse

Controlling or coercive behaviour

Patterns that restrict another person's independence, choices or everyday life can be abusive. This may include isolation, monitoring, intimidation, regulating routines, restricting access to support or creating dependency.

Economic abuse

The Act expressly recognises behaviour that substantially harms someone's ability to acquire, use or keep money or property, or to obtain goods or services.

Psychological or emotional abuse

Abuse may involve humiliation, threats, intimidation, degradation, manipulation or behaviour that undermines a person's confidence, safety or sense of reality.

Physical or sexual abuse

Physical violence and sexual abuse remain within the statutory definition, including behaviour occurring alongside other patterns of control.

Violent or threatening behaviour

Threats and intimidation can be abusive even where threatened violence is not ultimately carried out.

Behaviour can be directed through somebody else

The Act recognises that abusive behaviour towards one person can involve conduct directed at somebody else — for example, using a child, relative, friend or colleague as part of the abuse.

Children are recognised as victims

Section 3 of the Act recognises a child under 18 as a victim of domestic abuse in their own right when they **see, hear or experience the effects** of domestic abuse and are related to the person experiencing or perpetrating the abuse.

A child does not have to directly witness an assault

Experiencing the effects of domestic abuse can be wider than seeing a particular incident. The legal recognition reflects that children can be affected by the atmosphere, consequences and patterns surrounding abuse.

Young people's own relationships

Where both people are at least 16, abusive behaviour within an intimate relationship can fall within the Act's domestic-abuse definition. Where someone is under 18, child-safeguarding responsibilities also remain relevant. Abuse in relationships involving children under 16 is addressed through child-safeguarding law and processes rather than the Act's adult relationship definition.

Children need their own support

Supporting an adult victim does not automatically address a child's needs. Safety, emotional wellbeing, education, health, relationships and the child's own views may all require attention.

Family abuse

Domestic abuse is not limited to partners. The definition can include abuse by relatives, including adult children, parents, siblings and extended family members. The statutory guidance also discusses child-to-parent abuse, forced marriage, so-called honour-based abuse and other harmful practices within family contexts.

Family members are not always protective

Where family abuse is present, involving relatives without considering risk can expose a person to further harm. Safety and confidentiality should be considered before information is shared.

Patterns can be difficult to recognise

Domestic abuse may be obvious and frightening, or subtle and cumulative. Looking at isolated incidents can miss the way repeated behaviour changes somebody's freedom, confidence and ability to make ordinary decisions.

Possible patterns

Monitoring a phone or location; controlling money; repeatedly checking where someone is; isolating them from support; sabotaging work or education; threatening pets or family; controlling medication, food or sleep; using children to monitor or pressure them; or repeatedly humiliating and intimidating them.

After separation

Abuse can continue or escalate after a relationship ends. Stalking, harassment, financial control, threats, misuse of child-contact arrangements and technology-facilitated monitoring can all form part of post-separation abuse.

Related resource

The **Power and Control Wheel** resource later in this collection explores how different behaviours can work together as a pattern of power and control.

Technology-facilitated abuse

The statutory guidance recognises that technology can be used to facilitate abuse, including through social media, devices and location-tracking. Digital safety planning needs to be individual: suddenly changing passwords, settings or devices may sometimes alert a person who is monitoring them.

Safety first

Where monitoring or coercive control is suspected, specialist domestic-abuse advice can help someone consider safer ways to communicate, preserve privacy and seek support.

Protection and routes to support

The Domestic Abuse Act sits alongside other legal and practical protections. The appropriate route depends on the circumstances, location and level of risk.

Clare's Law

The Domestic Violence Disclosure Scheme can allow somebody to ask police about a current or former partner's abusive history, while police may also make proactive disclosures. *See the dedicated Clare's Law resource.*

Protective orders

Existing protections include non-molestation and occupation orders. Domestic Abuse Protection Notices and Orders are newer measures created by the Act and are being introduced through a pilot rather than being universally available at present.

Safe Spaces

Confidential Safe Spaces continue in participating pharmacies, banks and building societies. *See the Ask for ANI resource for current information and the distinction from the former codeword scheme.*

Adult safeguarding

Where an adult has care and support needs and is unable to protect themselves from abuse or neglect because of those needs, Care Act safeguarding duties may also be relevant. *See The Care Act & Adult Safeguarding.*

Seeking help does not require one particular next step

A person can ask for information or specialist support without committing to leaving a relationship, making a police report or taking legal action. Specialist services can help someone understand options and consider safety in their own circumstances.

Barriers to recognising or seeking help

People may remain in abusive situations or delay seeking support for many reasons. These can include fear, coercion, financial dependence, housing, immigration concerns, disability, caring responsibilities, children, attachment, isolation, previous experiences with services or fear that seeking help will increase danger.

Avoid 'why don't they just leave?'

Leaving can be practically difficult and can sometimes increase risk. A more useful question is: **"What is making this difficult, and what support would increase safety and choice?"**

Domestic abuse can affect anyone

The statutory guidance is clear that domestic abuse can affect people regardless of sex, gender identity, age, ethnicity, socioeconomic status, sexuality, disability, religion or background. Experiences and barriers to support can nevertheless differ substantially between individuals and communities.

Accessible and specialist support matters

Some people benefit from specialist 'by and for' services led by and for the communities they support, including services for disabled people, LGBT+ people, men and people from minoritised ethnic communities.

If you are supporting somebody

Listen without blaming or pressuring them. Avoid confronting the person causing harm if this could increase risk. Ask what the person wants, help them access specialist advice if they choose, and recognise that their safest next step may not be immediately obvious from the outside.

Immediate danger

If somebody is in immediate danger, call **999**. If a person cannot speak on a mobile 999 call, they should follow the operator's instructions and press **55** when prompted.

Practical reminders

- Domestic abuse is not limited to physical violence.
- The statutory definition includes economic abuse and controlling or coercive behaviour.
- The people involved do not have to live together.
- Domestic abuse can occur between partners, ex-partners and relatives.
- Children who see, hear or experience the effects of domestic abuse can be victims in their own right under the Act.
- Abuse may continue or escalate after separation.
- A lack of criminal charge or conviction does not mean support is inappropriate.
- The safest response depends on the person's individual circumstances.

National Domestic Abuse Helpline - England

Refuge runs the free 24-hour National Domestic Abuse Helpline on **0808 2000 247**. GOV.UK lists additional specialist and nation-specific services.

About this resource

This PDF provides general educational information about the Domestic Abuse Act 2021 and statutory guidance. It is not individual legal, safeguarding or safety-planning advice. Some provisions and support systems differ between England and Wales, and local services can change.

Information reviewed: September 2026

References & further information

Home Office. *Domestic Abuse: statutory guidance.* Guidance under the Domestic Abuse Act 2021 on the statutory definition, personally connected relationships, children as victims, types of abuse and good practice.

Domestic Abuse Act 2021. In particular sections 1-3 concerning the definition of domestic abuse, personally connected people and children as victims.

Home Office. *Statutory definition of domestic abuse factsheet.* Overview of the Act's definition and recognition of children affected by domestic abuse.

Home Office. *Controlling or coercive behaviour: statutory guidance framework.* Current guidance on recognising and responding to controlling or coercive behaviour.

Scope of this guide

The Domestic Abuse Act 2021 extends to England and Wales, but the statutory guidance applies differently in Wales where relevant matters are devolved. Welsh services should also use the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) framework and associated guidance.