

Domestic Abuse Act 2021 Summary

The 2021 Domestic Abuse Act provides the first statutory definition of Domestic Abuse in England and Wales. This definition covers behaviour by a person (aged 16 or over) towards another person who is personally connected. It includes not just physical abuse, but emotional, psychological, coercive control, economic abuse and other forms.

The Act introduces various legal protections in civil, family and criminal courts. For example, preventing abusers from cross-examining victim-survivors in person in certain proceedings, special measures to support victim-survivors, and domestic abuse protection orders and notices (DAPOs and DAPNs) to help with immediate protection after incidents.

The Act places obligations on housing, health, and social services to provide support and safe accommodation for victim-survivors of Domestic Abuse.

How does this relate to Older Victim-Survivors?

Firstly, there is no upper age limit, so older people are included in the protection set out by the Act.

The Acts supporting guidance refers to the Mental Capacity Act 2005 in protecting rights for people who may be vulnerable due to diminished capacity.

The Act has removed the requirement for the victim-survivor to live with the perpetrator to recognise certain offences. This is particularly relevant for older victim-survivors who may not cohabit with abusers