

KEY UK DOMESTIC ABUSE LEGISLATION & DEFINITIONS 2020





# KEY UK DOMESTIC ABUSE LEGISLATION AND DEFINITIONS - 2020

# ENGLAND AND WALES

Domestic Abuse Bill (In Process)

## Behaviour of a person (A) towards another person (B) is domestic abuse if –

(A)&(B) are each aged 16 or over and are "personally connected" to each other, and The behaviour is abusive

## Behaviour is abusive if, it consists of any of the following,

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

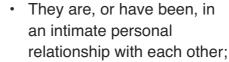
It does not matter whether the behaviour consists of a single incident or a course of conduct. "Economic

### abuse" means any behaviour that has a substantial adverse effect on (Bs) ability to

- Acquire, use, or maintain money or other property.
- · Obtain goods or services.

## "Personally connected" means,

- They are, or have been, married to each other;
- They are, or have been, civil partners of each other;
- They have agreed to marry one another (whether or not the agreement has been terminated);
- They have entered into a civil partnership agreement (whether or not the agreement has been terminated);



 They each have, or there has been a time when they each have had, a parental relationship in relation to the same child

· They are relatives.





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### **SCOTLAND**

Domestic Abuse (Scotland) Act 2018

### A person commits an offence, if,

- The person (A) engages in a course of behaviour which is abusive of A's partner or ex-partner (B), and
- Both further conditions are met.

#### The further conditions are,

 That a reasonable person would consider the course of behaviour to be likely to cause (B) to suffer physical or psychological harm,

#### That either.

- (A) intends by the course of behaviour to cause B to suffer physical or psychological harm, or
- (A) is reckless as to whether the course of behaviour causes (B) to suffer physical or psychological harm.

## Behaviour which is abusive to (B) includes (In particular),

- Behaviour directed at (B) that is violent, threatening, and intimidating
- Behaviour directed at (B), at a child of (B), or at another person that either – has as its purpose one or more of the following relevant effects,
- Making (B) dependant on, or subordinate to (A)
- Isolating (B) from friends, relatives, or other forms of support.
- Controlling, regulating, or monitoring (B)s day to day activities
- Depriving (B) of, or restricting (Bs), freedom of action,
- Frightening, humiliating, degrading, or punishing (B)

### **WALES**

Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015

#### Abuse,

**AND DEFINITIONS - 2020** 

means physical, sexual, psychological, emotional, or financial abuse

#### **Domestic Abuse.**

KEY UK DOMESTIC ABUSE LEGISLATION

means abuse where the victim of it is or has been associated with the abuser.

#### Sexual Violence,

means sexual exploitation, sexual harassment, or threats of violence of a sexual nature

### A person is associated with another person for the definition of "domestic abuse" if,

- They are or have been married to each other
- They are or have been civil partners to each other
- They live or have lived together in an enduring family relationship

- They live or have lived in the same household
- They are relatives
- They have agreed to marry one another (whether or not that agreement has been terminated)
- They have entered into a civil partnership with one another (whether or not that agreement has been terminated
- They have or have had an intimate personal relationship with one another



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## NORTHERN IRELAND

Domestic Abuse and Family Proceeding Bill (In Progress)

### A person (A) commits an offence if,

- (A) engages in a course of behaviour that is abusive of another person (B)
- (A) and (B) are personally connected to each other at the time,
- Both of the further conditions are left

#### The further conditions are,

- That a resonable person would consider the course of behaviour to be likely to cause (B) to suffer physical or psychological harm. and That (A),
- Intends the course of behaviour to cause (B) to suffer physical or psychological harm, or
- Is reckless to whether the course of behaviour causes
  (B) to suffer physical or psychological harm,

 The references to psychological harm include, fear, alarm, and distress.

### What amounts to abusive behaviour,

- Behaviour directed at (B) that is violent
- Behavour directed at (B) that is threatening
- Behaviour directed at (B), at a child of (B), or at someone else that, Has as its purpose (or among its purposes) one or more of the relevant effects, or would be considered by a reasonable person to be likely to have one or more of the relevant effects.

#### The relevant effects are,

- Making (B) dependant on, or subordinate to (A)
- Isolating (B) from friends, family members, and other sources of social interaction or support
- Controlling, regulating, or monitoring (B)s day to day activities,
- Depriving (B) or restricting (Bs) freedom of action
- Making (B) feel frightened, humiliated, degraded, punished, or intimidated.

## Personally connected means,

- They are, or have been, married to each other,
- They are, or have been, civil partners of each other,
- They are living together, or have lived together, as if spouses of each other,
- They are, or have been, otherwise in an intimate personal relationship with each other, or
- They are members of the same family.
- They are members of the same family-

- if (B) is A's parent, grandparent, child, grandchild, brother or sister, or if-
- One of them is in a relevant relationship with someone else ("C"), and
- The other of them is (C's) parent, grandparent, child, grandchild, brother or sister.
- One person is in a relevant relationship with someone else if-
- They are married to, or are civil partners of, each other, or
- They are living together as if spouses of each other.





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