

Lincolnshire Police

Policy Document



Ancillary Orders policy PD 271

Policy document information

Reference number:	PD 271
Policy sponsor:	ACC Mayo
Policy owner:	D/Superintendent Rach COX - Head of PVP Investigation Hubs
Author:	T/DCI Gemma WOOLFORD – LPSH
Publication date:	March 2024
Review date:	May 2026

Version history

Version	Date	Reason for issue
1	23/03/2024	New Policy
2	19/01/2026	Amendments

Code of Ethics

All staff involved in carrying out functions under this policy and associated procedures and appendices will do so in accordance with the principles of the Code of Ethics. The aim of the Code of Ethics is to support each member of the policing profession to deliver the highest professional standards in their service to the public.

Legislative compliance

This document has been drafted to comply with the principles of the Human Rights Act. Proportionality has been identified as the key to Human Rights compliance, this means striking a fair balance between the rights of the staff and those of the rest of the community. There must be a reasonable relationship between the aim to be achieved and the means used.

Equality and Diversity issues have also been considered to ensure compliance with the Equality Act 2010 and meet our legal obligation in relation to the equality duty. In addition, Data Protection, Freedom of Information and Health and Safety Issues have been considered. Adherence to this policy or procedure will therefore ensure compliance with all relevant legislation and internal policies.

Other legislation/law which this policy has been drafted to comply with:

- [Human Rights Act 1998 \(in particular A.14 – Prohibition of discrimination\)](#)
- [Equality Act 2010](#)
- [Crime and Disorder Act 1998](#)
- [H&S legislation](#)
- [Data Protection Act 2018](#)

- [Freedom Of Information Act 2000](#)

Security classification

Policy to be published on Intranet: Yes

Policy to be published on Force Website: Yes

Authorised Professional Practice (APP)

This Policy has been checked against APP and there is none in relation to the subject matter of this Policy.

1. Policy aims (Purpose)

- 1.1 Lincolnshire Police is committed to providing safeguarding measures to the local community. The purpose of this document is to outline the policy and associated procedures for management of ancillary orders namely Domestic Violence Protection Notice/ Order (DVPN/O's) and Stalking Protection Order (SPO) but includes all orders and who will manage.
- 1.2 It is the Policy of Lincolnshire Police to instruct staff in relation to best practice and that of APP from the College of Policing.

2. Policy statement (Key information)

- 2.1 DVPN/O is clear in its objective to provide immediate protection following an incident of domestic abuse and to give the associated persons victim time to consider what to do next with regards their partner/ ex-partner/ family member. Each application will be considered on its own merits and the decision to authorise a DVPN and request a hearing for a DVPO will be based on the information collated and the eligibility criteria having been met.
- 2.2 The process is designed to give breathing space to the associated persons by granting temporary respite from their abuser and allowing

referral to support services without interference. The point at which associated persons seek help or leave their abuser can be when they are most at risk. The DVPN process can be pursued without the associated persons active support, or even against their wishes, if this is considered necessary to protect them from violence or threat of violence. The associated persons also does not have to attend court. This can help by removing responsibility from the victim for taking action against their abuser.

2.3 Violence is not defined in either the Crime and Security Act (CSA) 2010 or the Home Office guidance on DVPNs and DVPOs. In the absence of a bespoke definition, the Oxford English Dictionary definition includes:

- behaviour involving physical force intended to hurt, damage or kill someone or something
- strength of emotion or of a destructive natural force

This suggests that violence is defined by the physical behaviour of the person engaging in it, whether it is aimed at persons or property.

In addition, the CSA refers to ‘threat of violence’ – this allows a wide interpretation to include any behaviour by the perpetrator which instils a fear of violence in the victim.

2.2. Definitions

Domestic Violence Protection Notice/ Order

2.2.1 The safeguarding of vulnerable people is the responsibility of all police officers and staff within Lincolnshire Police. The issue of a DVPN is one of a number of tactical options that should be considered when implementing a safety plan to manage the risk posed to individuals at risk of domestic abuse.

2.2.2 In order for a DVPN to be available:

- the suspect must be over 18

- there must be reasonable grounds for believing that the suspect has been violent or has threatened violence towards an associated person, and
- that the DVPN is necessary to protect the associated person from violence or threat of violence by the suspect

An associated person is a person who is associated with the suspect within the meaning of [section 62\(3\)\(opens an external website in the same tab\)](#) of the Family Law Act 1996.

Domestic Violence Protection Order

- 2.2.3. The application must be heard within 48 hours of serving the DVPN. It is made by way of complaint to the Magistrates' Court. It should be listed in the SDVC, but this is only possible if it is sitting within the 48-hour. Section 27 and Section 28 of the Crime and Security Act 2010.

2.3. Decision to authorise

- 2.3.1 The decision to issue a DVPN must be made by the authorising officer (AO), who is an officer of superintendent rank or above. In reaching the decision, the AO must consider in particular:
- the welfare of any relevant persons under 18
 - the opinion of the person to be protected
 - any representations made by the suspect
 - where both parties live at the same address, the opinion of any other associated person also residing at the address

It is for the AO to decide who is a relevant person.

The AO should take reasonable steps to find out the opinions mentioned above, however, consent is not required.

There is no power to detain the suspect for the purpose of obtaining authorisation.

2.3.2 The terms which can be included in the DVPN are set out in the [CSA, section 24, subsections 6 to 8](#) and vary according to whether or not the two parties are living together.

There must in all cases be a prohibition on molesting the victim, either generally or with regard to a particular type of conduct.

Where the parties live at the same address, the provisions can also:

- prohibit the suspect from evicting or excluding the victim from the premises
- prohibit the suspect from entering the premises
- require the suspect to leave the premises
- prohibit the suspect from coming within a specified distance of the premises

2.3.3 The DVPN must:

- state the reasons for issuing the notice
- warn the suspect that he or she can be arrested if there are reasonable grounds to believe the notice has been breached
- state that an application for a DVPO will be made within 48 hours and that notice of the hearing will be given separately
- state that the DVPN will remain in force until a decision has been made on the application, and
- set out the likely terms of a DVPO

2.4 Stalking Protection Orders (SPO)

2.4.1 The Stalking Protection Act 2019 introduced Stalking Protection Orders (SPO) which can be sought by the police. These orders are an effective means of managing an alleged suspect through the use of prohibitions and/or positive requirements as well as imposing notification requirements on the suspect. An SPO is intended to protect any person of any age experiencing stalking

2.5 Management of orders

2.5.1 Orders managed by the AOU are divided into two categories: 'Priority Orders' and 'Non-Priority Orders'. This distinction is made due to the heightened level of risk surrounding some order types and the requirement for more proactive management by operational staff;

- Priority orders are those which require a degree of management and proactive management from other areas within force. These orders have positive requirements/ prohibitions attached which compels the subject of the order to comply with certain conditions.

These orders are managed via daily briefings and tasking within force through the Daily Management Meeting when referring to Response/ NPT as the managing unit.

The following are identified and managed as priority orders:

Order	Managing unit
Drug dealing telecommunication restriction order (DDTRO)	SIU
Serious Crime Prevention Order (SCPO) Breach of order	AOU coordinator/ PIP1 unit
Slavery & Trafficking Risk Order (STRO)/ Slavery & Trafficking Prevention Order (STPO) Breach of order	AOU coordinator PIP1 unit
Stalking protection order (SPO)	AOU coordinator/ RIT/ NPT
Violent offender order (VOO)	MOSOVO
Domestic violence protection notice/ order (DVPN/O)	Response/ RIT/ CID/ PVP

Female Genital Mutilation Protection Order (FGMPO) / Forced Marriage Protection Order (FMPO)	AOU coordinator
Breach of order	PIP1 unit
Youth rehabilitation orders (YRO)	YOS

Management of DVPN/ DVPO

Once a DVPO is issued the following process will be implemented

The OIC for the initial investigation where the DVPN was sought will make contact with the associated persons to update them the DVPO has been granted and this should be completed within 3 days. The OIC will action any breaches as appropriate throughout the DVPO order being in place.

SPO/ STRO/ SCPO/ FGMPO/ FMPO management

Once an [interim] order has been issued and served upon the Defendant, the AOU coordinator will manage the lifetime of the order with support from front line officers. The subject of the orders will have them served upon them and ad hoc spot checks conducted in order to ensure compliance. Proactive enforcement will ensue for any breaches.

Non-Priority orders are those which require less intrusive involvement from the AOU staff and little to no proactivity determined by the conditions they have attached to them and are reactive in nature when a breach occurs.

The following are managed as non-priority:

Order	Managing unit
Anti- Social Behaviour Injunction Order	NPT/ Response

Animal Disqualification order	NPT/ Response
Community Protection Notice (Warning)	RCAT/ NPT – develops into CBO
Criminal Behaviour Order	NPT/ Response
Contingent Destruction Order	NPT/ Response
Dog Control Order	NPT/ Response
Exclusion Order	Response
Occupation Order	Response
Premises Closure Notice/ Orders	NPT/ Response
Prohibited Steps Order	Response
Restraining Orders/ Non-Molestation Orders	Response
Sports Banning Order	Football Liaison Officer

Ancillary orders are managed within the policing unit they are obtained or by utilising other officers across the force to understand what subjects they have living within

2.6 Other managed ancillary orders

2.6.1 There are orders managed by MOSOVO staff, Risk Management officers which do not fall within the AOU to manage.

1. NO

Notification Orders and interim Notification Orders are intended to

protect the public in the UK from the risks posed by sex offenders who have been convicted, cautioned, warned or reprimanded for sexual offences committed overseas. Such offenders may be British or foreign nationals convicted, cautioned etc. abroad of a relevant offence.

2. RSO

RSOs must comply with 'Notification Requirements'. They have to register at a prescribed police station and give details of their permanent residence and any other addresses in the UK, where they may reside for seven nights or more within a 12-month period.

3. SHPO (previously SOPO)

Sexual Harm Prevention Orders are orders which can be made by either a Magistrates or Crown Court, at the point of sentencing for a sexual or violent crime, or following a complaint made about a person previously convicted of a sexual offence where their behaviour suggests that they may re-offend. The order places restrictions on the registered sex offender to prevent further offending. Once granted all restrictions are recorded on PNC.

4. SRO

A Sexual Risk Order is applied for through the civil court for any person posing sexual risk of harm, who has no previous qualifying offences.

3. Other related documents and appendices

- [Domestic Violence Protection Notice or Order \(DVPN and DVPO\) - Intranet](#)

4. Monitoring and review

- 4.1.1 This policy will be subject to an ongoing review by the Head of PVP to ensure that any changes in legislation, guidance or procedures are incorporated as soon as possible. A formal review will be completed biennially.

5. Who to contact about this policy

- 5.1. This policy is owned by D/Superintendent Rach Cox
Rachael.Cox@lincs.police.uk any questions about this can be directed to
william.rigg@lincs.police.uk

Pro-forma for the equality initial assessment

This screening document is the first stage in a two-stage process to take a systematic approach to assessing the impact of an activity on equality. An activity may mean a:

- policy or policy review
- a business case
- a business plan
- a project initiation
- a decision to implement a service
- a decision to decommission a service.

This screening should be completed by the lead person for the activity with assistance from any of the following departments:

- Human Resources (where appropriate)
- Equality and Diversity

Department:	PVP	Section:	AOU	Person responsible for initial assessment:	DCI Rachael Cox
Policy being assessed:	Ancillary Orders	Date of assessment:	25/03/2024	Is this a new or existing policy?	New

Question	Answer

<p>1. Briefly describe the aims, objectives and purpose of the policy.</p>	<p>The overall aim of this policy is to ensure police provide appropriate safeguarding to victims of domestic abuse. It seeks to offer clear guidance to enable decisions to be made that we will continue to obtain orders to protect life and prevent serious harm.</p>
<p>2. Are there any associated objectives of the policy? Please explain.</p>	<p>Adoption of a formal process for the management of ancillary orders allows for consistency with perpetrators to ensure the service provided to both perpetrators and victims is consistent and reviewed appropriately.</p>
<p>3. Who is intended to benefit from the policy and in what way?</p>	<p>Members of the public and Lincolnshire Police officers & staff. Members of the public will receive assistance from those services best equipped to deal with the concern. Lincolnshire Police will have improved guidance to assist officers and staff in determining where it is appropriate to apply the powers provided within the legislation.</p>
<p>4. What outcomes are wanted from this policy?</p>	<p>To protect and serve our communities by defining the standards surrounding ancillary order management, ensuring compliance with legislation and data recording.</p>
<p>5. What factors/forces could contribute/detract from the outcomes?</p>	<p>There are risks associated with this policy in terms of:</p> <p>Adverse media attention, Erosion in partnership cohesion, Potential loss of trust and confidence in Lincolnshire Police.</p> <p>This is balanced against adopting a fair and transparent process in order to identify and obtain where appropriate and take immediate action to mitigate those risks. It is also accepted that Lincolnshire Police will communicate with partner agencies with regard the criteria which needs to be fulfilled in order to have an order obtained. This will fully explain the new policy and will invite partners the opportunity to feedback their thoughts, concerns or queries around the new policy.</p>

6. Who are the main stakeholders in relation to the Policy?	Members of the public, Lincolnshire Police officers & staff, partner agencies.
7. Who implements the policy and who is responsible for the activity?	The policy is implemented by the PSH and staff working in AOU. This is a force wide policy for those officers who manage safeguarding on the front line within the safeguarding of victims with regards to domestic abuse.
8. Is there any likelihood the policy could have a differential impact on racial groups? (Including Gypsies and Travellers)	No In the application of this policy, Lincolnshire police will not discriminate against any persons. There is nothing within the policy that is likely to create a different impact on any person who identifies as a racial group.
What existing evidence (either presumed or otherwise) do you have for this?	This policy is based purely on concerns raised for an individual person by the police in order to obtain the relevant orders. It will focus on the vulnerability of the individual balanced against police powers and liability. It is anticipated that this will transcend across the entire demographic population.
9. Is there any likelihood the policy could have a differential impact due to gender?	No In the application of this policy, Lincolnshire police will not discriminate against any persons. There is nothing within the policy that is likely to create a different impact on any person who identifies as any gender group.
What existing evidence (either presumed or otherwise) do you have for this?	This policy is based purely on concerns raised for an individual person by the police in order to obtain the relevant orders. It will focus on the vulnerability of the individual balanced against police powers and liability. It is anticipated that this will transcend across the entire demographic population.

<p>10. Is there any likelihood the policy could have a differential impact on due disability?</p>	<p>No</p> <p>In the application of this policy, Lincolnshire police will not discriminate against any persons. There is nothing within the policy that is likely to create a different impact on any person who has a disability.</p>
<p>What existing evidence (either presumed or otherwise) do you have for this?</p>	<p>This policy is based purely on concerns raised for an individual person by the police in order to obtain the relevant orders. It will focus on the vulnerability of the individual balanced against police powers and liability. It is anticipated that this will transcend across the entire demographic population.</p>
<p>11. Is there any likelihood the policy could have a differential impact on people due to sexual orientation?</p>	<p>No</p> <p>In the application of this policy, Lincolnshire police will not discriminate against any persons. There is nothing within the policy that is likely to create a different impact on any person regardless of sexual orientation.</p>
<p>What existing evidence (either presumed or otherwise) do you have for this?</p>	<p>This policy is based purely on concerns raised for an individual person by the police in order to obtain the relevant orders. It will focus on the vulnerability of the individual balanced against police powers and liability. It is anticipated that this will transcend across the entire demographic population.</p>
<p>12. Is there any likelihood the policy could have a differential impact on people due to their age?</p>	<p>No</p>
<p>12a. Is there any likelihood the policy could have a differential impact on Young People and Children?</p>	<p>This policy is based purely on concerns raised for an individual person by the police in order to obtain the relevant orders. It will focus on the vulnerability of the individual balanced against police powers and liability. It is anticipated that this will transcend across the entire demographic population. This policy is not</p>

	detrimental to those who are under 18 years old as they are not eligible within the powers to have an order made against them.
What existing evidence (either presumed or otherwise) do you have for this?	This policy is based purely on concerns raised for an individual person by the police in order to obtain the relevant orders. It will focus on the vulnerability of the individual balanced against police powers and liability. It is anticipated that this will transcend across the entire demographic population.
12b. Is there any likelihood the policy could have a differential impact on Older People?	No In the application of this policy, Lincolnshire police will not discriminate against any persons 18 years or older. There is nothing within the policy that is likely to create a different impact on any person over the age of 18.
What existing evidence (either presumed or otherwise) do you have for this?	This policy is based purely on concerns raised for an individual person by the police in order to obtain the relevant orders. It will focus on the vulnerability of the individual balanced against police powers and liability. It is anticipated that this will transcend across the entire demographic population.
13. Is there any likelihood the policy could have a differential impact on people due to their religious belief?	No In the application of this policy, Lincolnshire police will not discriminate against any persons. There is nothing within the policy that is likely to create a different impact on any person who has any religious beliefs or otherwise.
What existing evidence (either presumed or otherwise) do you have for this?	This policy is based purely on concerns raised for an individual person by the police in order to obtain the relevant orders. It will focus on the vulnerability of the individual balanced against police powers and liability. It is anticipated that this will transcend across the entire demographic population.

<p>14. Is there any likelihood the policy could have a differential impact on people due to them having dependants/caring responsibilities?</p>	<p>No</p> <p>In the application of this policy, Lincolnshire police will not discriminate against any persons. There is nothing within the policy that is likely to create a different impact on any person who has dependant or caring responsibilities.</p>
<p>What existing evidence (either presumed or otherwise) do you have for this?</p>	<p>This policy is based purely on concerns raised for an individual person by the police in order to obtain the relevant orders. It will focus on the vulnerability of the individual balanced against police powers and liability. It is anticipated that this will transcend across the entire demographic population.</p>
<p>15. Is there any likelihood the activity could have a differential impact on people due to Marriage or Civil partnership?</p>	<p>No</p> <p>In the application of this policy, Lincolnshire police will not discriminate against any persons. There is nothing within the policy that is likely to create a different impact on any person who is married or in a civil partnership.</p>
<p>What existing evidence (either presumed or otherwise) do you have for this?</p>	<p>This policy is based purely on concerns raised for an individual person by the police in order to obtain the relevant orders. It will focus on the vulnerability of the individual balanced against police powers and liability. It is anticipated that this will transcend across the entire demographic population.</p>
<p>16. Is there any likelihood the policy could have a differential impact on people due to them being Transgender or Transsexual?</p>	<p>No</p> <p>In the application of this policy, Lincolnshire police will not discriminate against any persons. There is nothing within the policy that is likely to create a different impact on any person who identifies from within the Trans community.</p>

<p>What existing evidence (either presumed or otherwise) do you have for this?</p>	<p>This policy is based purely on concerns raised for an individual person by the police in order to obtain the relevant orders. It will focus on the vulnerability of the individual balanced against police powers and liability. It is anticipated that this will transcend across the entire demographic population.</p>
<p>17. If a differential impact has been identified in 8-16, will this amount to there being the potential for an adverse impact in this policy?</p>	<p>No</p> <p>This application of the orders is to all persons including those with specific/ all protected characteristics.</p>
<p>18. Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason?</p>	<p>Yes</p> <p>In order to be able to respond to the most vulnerable, and those at the highest level of risk in our society, Lincolnshire police need to address the continuous pursuit of domestic abuse perpetrators and adopt an effective policy capable of recognising and responding to those at real risk. This will impact on those who don't meet the criteria in legislation measured against the perpetrator's rights. Lincolnshire Police will continue to offer safeguarding as in keeping with our current responsibilities with partners and as a safeguarding provider, we will refer the caller onwards as appropriate through victim support services as Victim Lincs. The impact is justified on the grounds of having as an additional safeguarding tool not appropriate in all cases.</p>
<p>19. If yes, is there enough evidence to proceed to a full EIA?</p>	<p>No</p>
<p>20. Date on which Full impact assessment to be completed by.</p>	<p>N/A</p>

Signed (completing officer): Rachael Cox

Signed (Lead officer): D/Supt MISTRY

Groups affected

Please identify the anticipated impact this activity will have on the following population groups.

- Tick the appropriate box and give explanation if so required,
- Please note that there are both likely benefits and adverse impact within the same group
- Any groups highlighted as likely to be adversely affected should be consulted in the second stage Full Impact Assessment if one has been identified as being needed.

	Likely to Benefit	No Impact	Adverse Impact
Disability: Physical, Sensory, Learning Disability, Mental Health, Carers	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender: Male, Female	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Transgender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race: Traveller and Gypsy etc	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation: Lesbian, Gay, Bisexual	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion and Belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Age: Young and Old	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage and Civil Partnerships	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>