

**COMMISSIONER
FOR VICTIMS
OF CRIME**

Commissioner for Victims of
Crime Office Northern Ireland

**NMO Report -
Condensed Summary**

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PROTECTION ON PAPER?

The Changing Use and Effectiveness of Non-Molestation Orders in Northern Ireland (2016 - 2024)

Domestic abuse incidents and crimes remain at historically high levels across Northern Ireland, yet the primary civil protection mechanism, the Non-Molestation Order (NMO), is being used less often, granted less consistently, and enforced unevenly.

Across eight years of data and extensive qualitative evidence, a clear picture emerges - applications are falling, emergency protection is less frequently granted, regional disparities persist, breaches are not consistently acted upon, and victims describe a system that is slow, traumatising and unreliable.

In a context of rising reports of domestic abuse, these weaknesses leave victims at increased risk and without the reliable protection the law is intended to provide.

At a glance: What the evidence shows

1. Fewer victims are applying for NMOs - despite growing reports of domestic abuse.

- NMO applications **fell** from 2,006 in 2016 to 1,443 in 2024 (↓28%).
- Ex parte applications **fell** from 2,145 to 1,300 (↓39%).
- This decline sits against an overall **increase** in domestic abuse crimes over the same period.

2. NMOs are now less likely to be granted, with more refusals and withdrawals.

- Percentage of NMOs granted **dropped** from 41% to 33%.
- Ex parte grant rate dropped from 82% to 73%.
- Dismissals/refusals and withdrawals **increased** as a share of outcomes.

3. Where you live affects your chances of protection.

- Sharp regional differences in applications, grant rates, refusals and withdrawals.
- Some courts show reductions of 40 - 80% in NMOs granted.
- Stakeholders repeatedly described this as a 'postcode lottery'.

4. Breaches are under-recorded and under-enforced, and the real scale is unknown.

- PSNI recorded breaches have **fallen**, but enforcement is described as inconsistent, with victims reporting inaction and evidential barriers.
- PPS breach files **declined** from 727 in 2016 to 425 in 2024.
- Crucially, there is no dataset capturing breaches that victims report but police do not record as breaches. This is a major gap in system oversight.

5. Victims face structural barriers - legal aid, solicitor access, fear and retraumatisation.

- Solicitors report legal aid bureaucracy, low fees, and limited capacity across regions.
- Victims often must navigate the system alone, leading to drop-outs and delayed protection.
- The system is repeatedly described as "retraumatising".

WHY THIS MATTERS NOW (CONTEXT)

A rising domestic abuse landscape

Domestic abuse reported incidents and crimes in Northern Ireland have increased over the past decade, reaching some of the highest recorded levels.

Even accounting for counting-rule changes in 2023/24 and COVID-era fluctuations, the overall trend remains clear: demand for protection has grown, not reduced.

Against this backdrop, the expectation would be that more, not fewer, victims seek and receive protective orders.

What NMOs are meant to provide

Under the Family Homes and Domestic Violence (NI) Order 1998, NMOs should offer:

- Immediate civil protection from violence, harassment, intimidation or molestation,
- Enforceable conditions (breach is a criminal offence), and
- Urgent safeguarding through ex parte orders when risk is imminent.

In practice, however, the system is under strain and is struggling to deliver this consistently.

Across a wide range of stakeholders - police, solicitors, judiciary, voluntary support agencies and victims - a common picture emerges:

- Procedural inefficiencies,
- Unclear or inconsistently applied thresholds,
- Fragmented agency coordination,
- Limited solicitor availability,
- Barriers to legal aid,
- Delays and retraumatisation, and
- Gaps in recording and enforcement of breaches.

The combined effect is a system that too often fails to provide the swift, reliable protection victims seek at their most vulnerable moments.

Consequences include:

- Fewer applications → fewer victims accessing legal protection.
- Lower grant rates and rising withdrawals → more victims left without an order.
- Patchy enforcement and data gaps → reduced perpetrator accountability.
- Regional variation → inconsistent access to protection.
- Erosion of confidence in the justice system when victims most need it.

For senior decision-makers, this represents a significant protection gap at the centre of Northern Ireland's domestic abuse response.

FINDING #1

Applications for NMOs are falling sharply despite rising domestic abuse

Despite sustained high levels of domestic abuse incidents and crimes across Northern Ireland, the use of Non-Molestation Orders has declined significantly.

Key evidence

- NMO applications **decreased** from 2,006 in 2016 to 1,443 in 2024 (28% reduction).
- Ex parte NMO applications **fell** from 2,145 to 1,300 over the same period (39% reduction).
- These declines occurred despite increases in domestic abuse crimes, which rose by 41.9% over the wider period examined.

What stakeholders say is driving the decline

Victims, solicitors, police and support organisations identified a series of barriers making applications more difficult:

- Procedural inefficiencies, long waits, poor coordination, and lack of clear entry routes.
- Victim led burden - victims must find a solicitor, gather evidence, and navigate the system while in crisis.
- Fear of retraumatisation, particularly where previous applications were refused or undermined.
- Access to solicitors is limited, with many firms citing low legal aid remuneration and high administrative burden.
- Victims often lack information about NMOs and can be deterred by confusing terminology or contradictory agency advice.

Why this matters

The divergence between rising domestic abuse and declining use of protection orders reveals a system that is not safeguarding victims at the moment they are most at risk.

FINDING #2

Grant rates are falling, while refusals and withdrawals are rising

Even when victims do apply, they are less likely to receive an NMO than in previous years. Withdrawal rates and refusal/dismissal rates have also grown, leaving more victims without protection.

Key evidence

- Proportion of NMOs granted **fell** from 41% (817) of outcomes in 2016 to 33% (474) in 2024.
- Ex parte NMO grant rates **dropped** from 82% to 73%.
- Dismissals/refusals **increased** proportionally (15% → 18%), and withdrawals rose (27% → 29%).
- Qualitative evidence shows victims frequently withdraw applications due to fear, delays, legal aid barriers, and lack of confidence in the likely outcome.

Drivers behind refusals and withdrawals

Stakeholders identified multiple factors shaping outcomes:

- Inconsistent judicial thresholds, including perceptions of a rising bar for both ex parte and full NMOs.
- Confusion around evidential requirements, with some judges applying more restrictive interpretations than others.
- Legal aid constraints, including onerous waiver processes and low remuneration discouraging solicitors from taking NMO cases.
- Procedural delays and retraumatisation that lead victims to disengage.

Why this matters

With grant rates falling and withdrawals rising, growing numbers of victims are leaving court with no protective order at all - a gap that leaves them more vulnerable to continued abuse.

FINDING #3

Inconsistent regional practice, uneven training and rising digital abuse create unequal access to protection

Quantitative and qualitative evidence shows a victim's likelihood of securing an NMO varies significantly depending on **where they live** and **which professionals** they encounter. Regional disparities sit alongside inconsistent training, differing interpretations of coercive control, and growing challenges in evidencing digital abuse. Together, these factors create a fragmented system in which access to protection is not equal.

Key evidence

- **Regional disparities are significant and persistent.** Courts show large differences in NMO applications, grants, refusals and withdrawals, including 70 - 87% reductions in orders granted in some areas. These patterns are not explained by domestic abuse crime levels and were widely described as a "postcode lottery".
- **Judicial thresholds and local practice vary.** Police, solicitors and victims reported differing thresholds for both ex parte and full orders. It was reported that in some courts, evidential expectations have become more restrictive (e.g., conflating "significant harm" with "serious harm"), contributing to refusals and withdrawals.
- **Training gaps and inconsistent understanding across agencies weaken responses.** Police, solicitors and judiciary highlighted uneven knowledge of coercive control, digital abuse, evidential thresholds, and breach interpretation. As a result, victims receive contradictory advice depending on who they approach first, influencing whether they apply for an NMO or maintain an application.
- **Rising digital abuse exposes major gaps in wording and enforcement.** Increasing abuse via telecommunications, messaging apps and social media is not clearly captured by generic NMO wording. Police reported difficulty evidencing digital breaches, such as social media contact, indirect messaging or proximity-based intimidation, and victims described repeated breaches that were not recorded or enforced.

Why this matters

The combination of regional variation, differing thresholds, inconsistent training and outdated wording leaves victims facing **unequal protection for similar risks**. Those in certain areas, or those who encounter professionals with limited understanding of coercive control or digital abuse, face more barriers, higher refusal rates and weaker enforcement.

This undermines safety, accountability and confidence in the civil protection system.

FINDING #4

Breaches are under-recorded and under-enforced - and the true scale is unknown

While NMOs are legally enforceable, enforcement is described by victims and practitioners as inconsistent, slow and at times dismissive, particularly for digital or indirect harassment.

The quantitative picture shows a decline in recorded breaches and breach prosecutions, but crucially, these figures do not reflect the number of breaches victims actually report.

Key evidence

- PSNI recorded NMO breaches fluctuated but generally declined across most districts.
- PPS breach files fell from 727 in 2016 to 425 in 2024.
- Victims and agencies report frequent non-action, with some officers minimising or disputing breaches (e.g., social media contact, proximity incidents).
- Victims described being 'exhausted', 'physically drained', and retraumatised by repeated reporting with little follow-up.

Critical data blind spot

The reports identify a major gap:

- There is no dataset capturing breaches that victims report but which PSNI do not record as breaches. This makes the true scale of breaches **impossible** to quantify and obscures system attrition.
- This is also where victims expressed the greatest frustration - many reported multiple unrecorded breaches before any action was taken.

Why this matters

Under recording and weak enforcement strip NMOs of their deterrent power and leave victims convinced that these orders offer little real protection.

FINDING #5

The system places disproportionate burden on victims

Across all workshops and interviews, victims and support organisations described a system that requires them to carry too much responsibility, from initiating the process to evidencing breaches, often while experiencing trauma.

Key evidence

- Victims must proactively locate a solicitor, navigate legal aid, initiate applications, and manage evidence. Police and courts provide inconsistent guidance.
- Many victims reported fear of retaliation, fear of child protection involvement, and intense emotional distress throughout the process.
- Legal aid barriers, including complex waiver rules and heavy documentation requirements, prevent some victims from accessing solicitors at all.
- Repeated court appearances and refusals were described as 're-traumatising', causing some victims to abandon their applications entirely.

Challenges related to order wording

- Police often want specific conditions, and solicitors argue that generic wording is necessary to cover broad abusive behaviour. This lack of shared understanding creates enforcement problems.
- Digital abuse (social media, messaging, telecommunications) is increasingly used by perpetrators but is harder to evidence under current wording and practice.

Why this matters

A system that forces victims to drive it forward, retraumatises them in the process, and delivers protection unevenly is one that inevitably deters those who most need its safeguards.

JOINED UP VIEW: WHAT IS DRIVING THE DECLINE?

The quantitative and qualitative evidence points to a multi-layered system failure, not a single cause. Across agencies, professions, and court areas, a consistent pattern emerges: structural barriers, procedural weaknesses, inconsistent interpretation of law, and enforcement gaps compound to reduce the number of victims receiving protection.

1. Structural and procedural friction

- Application processes are slow, fragmented and inconsistent, with long waits, poor coordination, and reliance on victims to drive progress.
- Post-COVID, the system reverted to less efficient in-person processes, with many respondents noting the earlier email based processes were faster and more workable.
- Police, solicitors and victims report contradictory advice and unclear entry routes.

2. Legal aid barriers and solicitor capacity

- Low remuneration and heavy administrative burden mean some solicitors will no longer take NMO cases.
- Victims just over the legal aid threshold face unaffordable contributions, and the domestic abuse waiver is described as bureaucratically onerous.
- This directly affects access in several regions.

3. Inconsistent thresholds and local practice

- Solicitors report a perceived increase in the judicial threshold for both ex parte and full orders, with some judges applying 'significant harm' as if it were 'serious harm.'
- Judiciary interviews indicate different interpretations of evidential requirements for ex parte orders versus full orders.
- This variation contributes to grant rate declines in some courts and increases in others.

4. Enforcement uncertainty and data gaps

- Under recording and inconsistent police responses weaken confidence in the value of orders.
- Victims described reporting breaches multiple times before any action was taken.
- Crucially, breaches reported by victims but not recorded by PSNI are invisible in the data, obscuring true levels of non-compliance and risk.

5. Burden and retraumatisation

- Victims must locate a solicitor, gather evidence, manage legal aid paperwork, attend court, and repeatedly report breaches.
- Many victims described this as 'relentless', 'draining', and 're-traumatising', reducing their willingness to proceed or re-engage.

6. Substitution by bail conditions and other orders

- In cases where criminal charges and bail conditions exist, both police and judiciary note that NMOs are less likely to be granted.
- Victims may therefore be left unprotected when bail conditions lapse.

Joined up conclusion

Layered together, these weaknesses reduce applications, undermine grant rates, increase withdrawals, and erode enforcement. This leaves more victims without meaningful protection.

WHY THIS MATTERS FOR SENIOR DECISION-MAKERS

The evidence presents a coherent warning: **Northern Ireland's primary civil protection mechanism is not functioning reliably at the point victims seek safety.**

1. A widening protection gap

- Domestic abuse remains high, yet protective orders are being used less often and granted less consistently. This leaves many victims without essential safeguards.

2. Unequal access to safety

- Regional variation means outcomes depend partly on where a victim lives and who hears the case. This pattern is repeatedly described as a 'postcode lottery'.

3. Reduced deterrence and poor accountability

- Under recording and weak enforcement diminish the deterrent value of NMOs, with victims reporting they feel unprotected and unheard.
- Falling PPS breach files and increased acquittal proportions add to this concern.

4. Victims are carrying the burden

- The system relies heavily on victims to navigate complex processes, manage evidence, challenge inaction, and attend repeated hearings, often while traumatised.

5. Confidence in justice is being eroded

- When victims are refused orders, face delays, or see breaches dismissed, trust in police and courts declines at a moment of acute vulnerability.

Signals to watch (emerging themes)

These are not proposals, but patterns repeatedly raised across stakeholders that may shape future discussion.

- Increased need for consistent evidential thresholds across court areas.
- Review of the breach recording gap. The absence breaches reported by victims but not recorded by police is a major blind spot.
- Potential scope for clearer, more consistent wording of NMOs, especially for digital abuse.
- Interest among stakeholders in revisiting streamlined application processes (e.g., COVID-era email models).
- Concerns raised about legal aid accessibility and the sustainability of solicitor provision in NMO cases.
- Mixed views on Domestic Abuse Protection Orders (DAPOs), with resource implications a significant constraint. Stakeholders expressed uncertainty about how DAPOs will operate in practice, particularly around enforcement and resourcing, and raised concerns that without sufficient investment they may replicate existing challenges experienced with NMOs.
- Concerns raised about the use of undertakings instead of NMOs, which are unenforceable in Magistrates' Court so do not offer the protection of an NMO for victims.

(All points are strictly derived from the reports and do not constitute recommendations.)

METHODS, SCOPE AND CAVEATS

Data sources

This summary draws solely on the two reports provided:

- Quantitative study (2016 - 2024) analysing applications, grants, refusals, withdrawals, breaches, PPS files and outcomes across court areas.
- Qualitative study (2025) involving workshops and interviews with PSNI, solicitors, voluntary support agencies, victims, and two District Judges, using thematic analysis.

Scope

- Focus is on Non-Molestation Orders, with Occupation Orders included only where relevant.
- Data reflects applications and recorded breaches, not every incident of abuse nor every breach reported by victims.
- Figures vary annually, so interpretation should focus on multi-year trends rather than individual years.

Caveats

- Changes to Home Office Counting Rules introduced in May - June 2023 (the 'Principal Crime Rule') reduce comparability with earlier years.
- Small sample sizes in some courts mean caution is needed when interpreting percentage changes.
- No dataset exists for breaches reported by victims but not recorded by PSNI. This is a major limitation when assessing system effectiveness.
- Qualitative evidence reflects stakeholder experiences and perceptions. These do not always align across groups.

RECOMMENDATIONS

1. System issues

1.1 Improve access routes and legal aid for victims of domestic abuse

The evidence shows that legal aid bureaucracy, low remuneration and complex waiver processes create barriers that deter victims and reduce solicitor availability. Victims also reported that in person attendance at court is retraumatising and logistically difficult. CVOONI therefore recommends that:

- a) Legal aid processes for NMO cases are simplified, with reduced documentation requirements.
- b) Domestic abuse applicants are not subject to standard financial thresholds, consistent with wider reform proposals already under consideration.
- c) Administrative burden on solicitors is reduced to improve capacity across regions.
- d) Applicants and respondents should have the option to attend NMO hearings via remote link from their solicitor's office, improving both accessibility and emotional safety.

1.2 Strengthen and modernise protective measures

Stakeholder feedback highlighted mixed confidence in current NMOs and a need for stronger, more responsive tools. CVOONI therefore recommends that:

- a) The Department ensures that findings from this report are fully considered in the implementation of DAPOs and DAPNs, particularly regarding risk assessment, enforcement, and minimising the burden on victims.
- b) Insights from this study inform the development of any wider protective measures or reforms to ensure they address current gaps and inconsistencies.
- c) Policymakers consider additional protective technologies, including proximity-based electronic monitoring (e.g. the Quebec model), with appropriate safeguards and judicial oversight, to strengthen enforcement and reduce reliance on victims reporting and evidencing breaches.

1.3 Strengthen breach recording and data quality

The largest quantitative gap identified in the report is the absence of data on breaches reported by victims but not recorded by police. CVOONI therefore recommends that:

- a) PSNI improves recording practices to ensure all alleged breaches are logged, including digital and indirect contact.

NB College of Policing guidance emphasises consistent breach recording. PSNI's current inability to supply key breach recording datasets indicates an opportunity to strengthen alignment with this standard.

2. Training and awareness

2.1 Comprehensive cross-agency training on domestic abuse and coercive control

- Inconsistent understanding across police, solicitors and judiciary, particularly around coercive control, digital abuse and evidential thresholds, contributes to inconsistent outcomes. CVOONI therefore recommends that:
 - a) System-wide training is delivered by experts in domestic abuse, including those with specialist knowledge of coercive control and digital abuse patterns.
 - b) Inter-agency training is developed to promote a shared understanding and reduce contradictory advice to victims.
 - c) Clear training and guidance should be developed on the limitations of undertakings as a protective measure, and on when their use is appropriate.

2.2 Judicial guidance on NMO thresholds and wording

To reduce variation in practice and support more consistent decision-making, CVOONI recommends that:

- a) The Lady Chief Justice considers issuing a practice direction clarifying expectations around:
 - thresholds for ex parte and full NMOs
 - interpreting coercive control in civil protection settings
 - appropriate wording of NMOs in the context of digital abuse

2.3 Improve agency understanding of digital abuse and technology-facilitated harm

Given the growing prevalence of digital abuse and associated enforcement challenges, CVOONI recommends that:

- a) Training includes specialist input on digital harassment, evidential challenges, social media based intimidation, and the 'grey areas' perpetrators exploit. This training should be linked to improved recording practices and clearer expectations for enforcement.