

# **Non-Molestation Orders (NMO) and Safeguarding: A Brief Guide for Designated Safeguarding Leads (DSLs)**

## **What is a Non-Molestation Order (NMO)?**

A Non-Molestation Order (NMO) is a civil injunction under the Family Law Act 1996, designed to protect individuals from harassment, threats, or violence. Breaching an NMO is a criminal offence and can result in arrest.

## **What Can an NMO Do?**

- Prevent an abuser from using or threatening violence.
- Prohibit direct or indirect contact with the victim.
- Restrict the abuser from approaching the victim's home, workplace, or children's school.

## **Interim vs. Full NMOs**

- **Interim NMO** – Granted on an emergency (ex parte) basis within 24-48 hours, without the other party being present. Temporary until a full hearing.
- **Full NMO** – Issued after a court hearing, typically lasting 6-12 months but can be extended.

## **How NMOs Affect Schools**

### **Would Schools Be Told?**

- Schools are not automatically informed unless a safeguarding professional, social worker, or the police deems it relevant.
- If a parent informs the school of an NMO, careful handling is required.

### **Parental Access and School Premises**

- If an NMO explicitly prohibits a parent from contacting their child or approaching the school, the school must enforce these restrictions.
- If an NMO only prohibits contact between parents, the school must assess safeguarding risks before deciding on parental access.

### **Information Sharing**

- If the NMO restricts a parent's contact with their child, schools should seek legal advice regarding information-sharing obligations.
- DSLs should update safeguarding records and ensure relevant staff are informed.

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## Key Safeguarding Considerations for DSLs

### What an Interim NMO Does

- Prohibits contact or proximity to the applicant (and potentially the children).
- Breaching it is a criminal offence.
- Granted quickly based on the applicant's statement, with a full hearing later.

### What an NMO Does NOT Do

- It does not mean the respondent is guilty of domestic abuse—only that temporary restrictions are in place.
- It does not automatically assess the impact on the child.
- It does not replace a safeguarding assessment; social care should still consider child welfare concerns separately.

### Potential Risks & Challenges

- **Misuse:** Abusers may manipulate the system to obtain an NMO against a victim, reversing the narrative.
- **Children's Voices May Be Unheard:** Courts prioritise adult disputes; DSLs must advocate for children's perspectives.
- **Multi-Agency Tension:** Some agencies may view an NMO as resolving the issue, even if safeguarding concerns remain.

### DSL Actions When an NMO is in Place

- **Critically assess** – Does this align with what you know about the family?
- **Prioritise the child's needs** – Not just compliance with the legal order.
- **Challenge decisions** – An NMO alone should not lead to case closure.
- **Consider early help** – Provide school-based support if formal safeguarding routes are not progressing.

### Who Informs the School?

- **The Parent Who Obtained the Order (Applicant)** – They may provide a copy to the school.
- **The Other Parent (Respondent)** – They may contest the order or claim it was unfairly issued.
- **The Police** – May inform the school if linked to domestic abuse.
- **Children's Social Care** – May notify the school if involved in the case.

### Does a Parent Have to Provide the School with a Copy?

- No, but if they expect the school to enforce restrictions, they should provide evidence.
- Schools should not act on verbal claims alone—always seek written confirmation.
- If a parent refuses to share the order but insists on restrictions, DSLs should:

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- Explain the need for formal documentation.
- Contact social care or legal services if safeguarding concerns exist.
- Record discussions and take a cautious approach if risk is suspected.

## **Real-World Case Examples**

### **Case 1: Parent Refuses to Share the NMO**

A mother informs the school that an NMO is in place against the father and requests restrictions but refuses to provide a copy.

#### **DSL Actions:**

- Politely request a copy for verification.
- Seek legal advice if needed.
- Monitor for safeguarding concerns.

### **Case 2: The Other Parent Uses an NMO to Manipulate the School**

A father insists the school removes the mother from emergency contacts, claiming an NMO bans all contact.

#### **DSL Actions:**

- Review the NMO to confirm restrictions.
- Provide the mother with school reports unless a court order removes parental responsibility.
- Escalate safeguarding concerns if necessary.

### **Case 3: The School is Not Informed Until a Parent Arrives**

A parent subject to an NMO arrives at school, but staff were never informed of the order.

#### **DSL Actions:**

- Do not release the child until clarification is obtained.
- Contact the resident parent for legal documentation.
- Seek police guidance if there is an immediate safeguarding concern.

## **Practical Steps for DSLs**

- **Request a copy of the NMO** to clarify restrictions.
- **Consult legal advice** if unsure.
- **Train front-office staff** to recognise restricted individuals.
- **Update safeguarding records** and ensure staff awareness.
- **Balance safeguarding with legal compliance**—if an NMO prohibits a parent from school, allowing access could breach the order.

## **How Many Non-Molestation Injunctions Have Been Issued?**

In the year ending March 2023, there were 30,979 applications for non-molestation orders in England and Wales, a 3% increase from the previous year. This marks the highest number of applications since records began in 2010.

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- In the first quarter of 2023 (January to March), 9,516 domestic violence remedy orders were issued, with 95% being non-molestation orders.
- In the second quarter of 2024 (April to June), 9,496 domestic violence orders were made, with 93% being non-molestation orders.

These figures indicate a continued upward trend in the issuance of non-molestation orders in recent years.

### Legal Glossary

- **Non-Molestation Order (NMO):** A legal injunction preventing harassment or threats; breach is a criminal offence.
- **Prohibited Steps Order (PSO):** Prevents a parent from taking specific actions regarding their child.
- **Child Arrangements Order (CAO):** Specifies parental contact arrangements.

### Further Guidance and Resources

- **Apply for a Non-Molestation or Occupation Order:** [gov.uk](https://www.gov.uk)
- **Prohibited Steps Orders Explained:** [Legal resources](#)
- **Judiciary Practice Guidance on NMOs:** [Judiciary.uk](https://www.judiciary.uk)

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