

## **The Domestic Violence, Crime and Victims Act 2004**

The Domestic Violence, Crime and Victims Act 2004 amends the Family Law Act 1996 to make breach of a molestation order a criminal offence, and designates common assault an arrestable offence. The protection of domestic violence legislation is also extended to same-sex couples who are cohabitants. The Secretary of State may commission domestic violence reviews in cases where death results from violence, abuse or neglect.

A specific offence is introduced in s.5 of the Domestic Violence Crime and Victims Act 2004 of causing or allowing the death of a child or vulnerable adult. This enables a conviction to be secured where it cannot be proved which member of the household actually caused the death. The unlawful act leading to the death may be committed either by a member of the same household, or by a person who has frequent contact with the victim. A person under the age of 16 may not be charged with this offence. "Child" means a person under the age of 16, and, for the first time we have a statutory definition of vulnerable adult as "a person aged 16 or over whose ability to protect himself from violence, abuse or neglect is significantly impaired through physical or mental disability or illness, through old age or otherwise".