



Police Headquarters

London Road
DEVIZES
Wiltshire
SN10 2DN

Date: 22/10/2025

Our ref: FOI 2025/814

Reply contact name:

Dear XXXXX,

I write in connection with your request for information dated 18/08/2025 concerning breaches of non-molestation orde4rs and restraining orders.

I am required by the Freedom of Information Act 2000 to handle all requests in a manner that is blind as to the identity and motives of the requestor. Any information released as a response to a request is regarded as being published and therefore in the public domain without caveat.

Your request for information has now been considered and I am able to respond as follows.

You wrote:

Please may I request a list of which actions (made by/on behalf of Restrained Parties) constitute breaches of Restraining Orders and Non-Molestation Orders. And, please may I also request information in relation to which actions fall under direct and indirect breaches respectively.

I query this, as I have recently learned that actions which both Police Forces and Legal Professionals have - initially - believed to be (indirect) breaches of Restraining Orders, have later been identified as non-breaches (not a breach of the Order). One such example includes:

At present, a Restrained Party/Perpetrator will NOT be in breach of a Restraining Order if he chooses to view a Protected Party's LinkedIn Profile. This is despite the fact that viewing leaves a notification for the protected party that the Restrained Party/The Perpetrator/The Abuser/Offender has viewed their profile (terrifying the protected party, making them fear for safety). By viewing the Profile: The Perpetrator will NOT have breached the Restraining Order - It matters not that the victim has changed their name, and has created a brand new account: In such a case, the viewing of a profile in this way is NOT a breach. This is also despite the fact that Restraining Orders are often written to cover indirect contact and social media in the following way:

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"Not to Contact Jane DOE either directly or indirectly in anyway including, by telephone, text, or social media platforms."

At present, the reporting of such to a Police Force will ensure a Domestic Violence Incident is recorded, alongside a screenshot taken, but it will NOT be deemed a breach. Another way in which such conduct may occur, but isn't necessarily clear whether or not it constitutes a breach includes: A Restrained Party views (but doesn't interact with) a Protected Party's Instagram Story - This shows the Protected Party that their story has been viewed by the Restrained Party, and puts them in fear for their safety. The Protected Party is left feeling harassed and unsafe.

Response:

Each Restraining order and NMO is different, it is not possible to supply a generic list of what would constitute a breach, each case would be assessed by the individual circumstances of the breach.

In [R v Debnath \[2005\] EWCA Crim 3472](#) the court held as follows:

The purpose of the order is to prohibit conduct with a view to protecting the victim from further offences.

- 1. The order must be drafted in clear and precise terms so there is no doubt as to what the defendant is prohibited from doing.**
- 2. Orders should be framed in practical terms – for example, by reference to specific street names and, if necessary, a map should be prepared.**
- 3. The court should have regard to considerations of proportionality.**
- 4. The court has the power to vary or discharge the order if circumstances change.**

Where human rights are engaged, for instance the right to private and family life, any order/condition proposed must consider whether interference with the right is necessary and proportionate: Dix [2021] EWCA Crim 1470.

I am satisfied that all the relevant information has been passed to me and been considered in the light of your request within the time constraints applicable under the legislation.

Wiltshire Police would like to thank you for the interest that you have shown in the Force.

Yours sincerely

Force Disclosure Decision Maker

Wiltshire Police offers a re-examination of your case under its review procedure.



Force Disclosure Unit

Wiltshire Police HQ, London Road, Devizes, Wiltshire SN10 2DN



Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Wiltshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review

Requests for review of a Freedom of Information request must be made in writing to the:

Force Disclosure Unit
Wiltshire Police Headquarters,
London Road, Devizes,
Wiltshire,
SN10 2DN

Email at disclosure@wiltshire.police.uk.

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Force Disclosure Unit within 20 working days of the Force's response to the original FoI request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing to include confirmation of the reasons for the review. The review will be conducted by another Decision Maker, who is independent from the original Decision Maker. The Force Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within twenty working days. In more complex cases the review may take up to 40 working days.

The Independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

4. Conclusion of the Appeal

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On completion of the review the Independent Decision Maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 01625 545 700
Fax: 01625 524 510
Email: mail@ico.gsi.gov.uk

Please note that the ICO's offices will be closed for the foreseeable future and are therefore unable to receive correspondence via post.

If you should wish you contact them, please visit <https://ico.org.uk/global/contact-us/>