Can You Remove Your Ghoul With an Occupation Order?

From March 2020 to March 2021, the Crime Survey for England and Wales showed that an estimated 2.3 million adults aged 16 to 74 years experienced domestic abuse in the last year. There was a 7% increase in police recorded offences flagged as domestic abuse-related between March 2020 and June 2020. The figures produced by the Office for National Statistics are very concerning.

The Government defines domestic abuse as:

"Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. This can include, but is not limited to, the following types of abuse:

- *Psychological*
- *Physical*
- *Sexual*
- *Financial*
- *Emotional"*

If you have experienced domestic abuse, it is important that you obtain legal advice as soon as possible. Our experienced family lawyers will be able to have a confidential discussion with you to talk about your situation, and help put in place procedures to ensure you are protected.

Getting rid of your ghoul

If you are living with your abuser, and you wish for them to leave the family home or if they have refused you access to the home, you can make an application for an occupation order. Such an order would give you the right to occupy the home and exclude your abuser. You can make an application if you have the right to occupy.

Tel: 0344 967 0793 | Email: info@LA-Law.com | www.lesteraldridge.com

Lester Aldridge LLP is authorised and regulated by the Solicitors Regulation Authority (SRA ID: 463177). It is a limited liability partnership registered in England and Wales under number OC321318. Managing Partner: Tom Alder; Compliance Officer for Finance and Administration: Dan Baker-Mist (Financial Controller); Compliance Officer for Legal Practice: Joanne Clarke (Partner) - See more on the Lester Aldridge Privacy Policy

© 2026 Lester Aldridge

This includes whether you own your home, rent it, or if you are cohabiting with the owner or tenant.

The court have a wide range of powers when considering making an occupation order. In certain circumstances, an application can be made to the court 'without notice', and an interim occupation order could be made without your abuser being made aware you even made an application. The court have many factors that they need to consider, including:

- The parties' respective financial situations;
- The housing needs and housing resources of each of the parties and any relevant child or children;
- The likely effect of either making or not making an order on the health, safety and wellbeing of the parties or any child; and
- The conduct of the parties.

Our experienced family lawyers will be able to discuss the next course of action with you, and talk through the factors the court are likely to consider when making their decision. If you have experienced domestic violence, please get in touch with our team today so we can help protect you and get rid of your ghoul. Contact us by calling 0344 967 0793 or emailing Online.Enquiries@LA-Law.com.

Tel: 0344 967 0793 | Email: info@LA-Law.com | www.lesteraldridge.com

Lester Aldridge LLP is authorised and regulated by the Solicitors Regulation Authority (SRA ID: 463177). It is a limited liability partnership registered in England and Wales under number OC321318. Managing Partner: Tom Alder; Compliance Officer for Finance and Administration: Dan Baker-Mist (Financial Controller); Compliance Officer for Legal Practice: Joanne Clarke (Partner) - See more on the Lester Aldridge Privacy Policy

© 2026 Lester Aldridge