



2021 CHAPTER 2

PART 1

Domestic abuse: offence and aggravation

CHAPTER 1

Offence of domestic abuse

Applicable rules and penalty

Alternative available for conviction

13.—(1) In proceedings in respect of a charge against a person (“A”) of the domestic abuse offence, A may be convicted of an alternative offence if the facts proved against A—

- (a) do not amount to the domestic abuse offence, but
- (b) do amount to the alternative offence.

(2) For the purposes of subsection (1), the alternative offences are—

- (a) an offence under Article 4 of the Protection from Harassment (Northern Ireland) Order 1997 (harassment),
- (b) an offence under Article 6 of that Order (putting people in fear of violence).
- [^{F1}(c) an offence under section 1 of the Protection from Stalking Act (Northern Ireland) 2021 (offence of stalking),
- (d) an offence under section 2 of that Act (offence of threatening or abusive behaviour).]

(3) This section is without prejudice to section 6(2) of the Criminal Law Act (Northern Ireland) 1967 (alternative verdicts on trial on indictment).

Changes to legislation: There are currently no known outstanding effects for the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021, Section 13. (See end of Document for details)

Textual Amendments

- F1** S. 13(2)(c)-(d) added (27.4.2022) by [Protection from Stalking Act \(Northern Ireland\) 2022](#) (c. 17), **ss. 4, 22(1)**
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Commencement Information

- II** S. 13 in operation at 21.2.2022 by [S.R. 2022/57](#), **art. 2(m)**

Changes to legislation:

There are currently no known outstanding effects for the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021, Section 13.