



2022 CHAPTER 17

Stalking protection orders

Offence of breaching order

13.—(1) A person who, without reasonable excuse, breaches a stalking protection order or an interim stalking protection order commits an offence.

(2) If a provision of the order is to be complied with in all parts of the United Kingdom, subsection (1) applies to breaches of it anywhere in the United Kingdom; and if a provision of the order is also to be complied with everywhere outside the United Kingdom, subsection (1) also applies to breaches of it anywhere outside the United Kingdom.

(3) A person guilty of an offence under this section is liable—

- (a) on conviction on indictment, to imprisonment for a term not exceeding 5 years or a fine (or both), or
- (b) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both).

(4) Article 30(2) of the Criminal Justice (Children) (Northern Ireland) Order 1998 (youth court's power to continue to deal with case, and defaults, after person attains 18) applies in relation to proceedings under this section for breach of an order as if they were not part of the proceedings in which the order was made, renewed or varied.

(5) In proceedings for an offence under this section, a copy of the original stalking protection order or interim stalking protection order, certified by the clerk of petty sessions or the court which made it, is admissible as evidence of its having been made and of its contents to the same extent that oral evidence of those things is admissible in those proceedings.

Changes to legislation: There are currently no known outstanding effects for the Protection from Stalking Act (Northern Ireland) 2022, Section 13. (See end of Document for details)

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Commencement Information

- I1** S. 13 not in operation at Royal Assent, see [s. 22\(2\)](#)
- I2** [S. 13](#) in operation at 19.10.2023 by [S.R. 2023/174](#), [art. 2](#)

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