



# Serious Organised Crime and Police Act 2005

## 2005 CHAPTER 15

### PART 4

#### PUBLIC ORDER AND CONDUCT IN PUBLIC PLACES ETC.

##### *Harassment*

#### **127 Harassment etc: police direction to stay away from person's home**

- (1) Section 42 of the Criminal Justice and Police Act 2001 (c. 16) (police directions stopping harassment of a person in his home) is amended as follows.
- (2) For subsection (4) substitute—
  - “(4) The requirements that may be imposed by a direction under this section include—
    - (a) a requirement to leave the vicinity of the premises in question, and
    - (b) a requirement to leave that vicinity and not to return to it within such period as the constable may specify, not being longer than 3 months;and (in either case) the requirement to leave the vicinity may be to do so immediately or after a specified period of time.”
- (3) In subsection (7), for “contravenes a direction given to him under this section” substitute “ fails to comply with a requirement in a direction given to him under this section (other than a requirement under subsection (4)(b)) ”.
- (4) After subsection (7) insert—
  - “(7A) Any person to whom a constable has given a direction including a requirement under subsection (4)(b) commits an offence if he—

*Changes to legislation: Serious Organised Crime and Police Act 2005, Section 127 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (a) returns to the vicinity of the premises in question within the period specified in the direction beginning with the date on which the direction is given; and
  - (b) does so for the purpose described in subsection (1)(b).
- (7B) A person guilty of an offence under subsection (7A) shall be liable, on summary conviction, to imprisonment for a term not exceeding 51 weeks or to a fine not exceeding level 4 on the standard scale, or to both.
- (7C) In relation to an offence committed before the commencement of section 281(5) of the Criminal Justice Act 2003 (alteration of penalties for summary offences), the reference in subsection (7B) to 51 weeks is to be read as a reference to 6 months.”

**Commencement Information**

**II** S. 127 in force at 1.7.2005 by S.I. 2005/1521, art. 3(1)(m)

**Changes to legislation:**

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**Commencement Orders yet to be applied to the Serious Organised Crime and Police Act 2005**

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2006/2182 art. 3](#) amendment to earlier commencing SI 2006/1871