



## 2022 CHAPTER 17

### *Stalking protection orders*

#### **Interim stalking protection orders**

**11.—(1)** An interim stalking protection order, in relation to a person, is an order which—

- (a) prohibits the person from doing anything described in the order, or
- (b) requires the person to do anything described in the order.

(2) Subsection (3) applies where an application for a stalking protection order against a person (“D”) has not been determined; and in the following provisions that application is referred to as the main application.

(3) A court of summary jurisdiction may, if it considers it appropriate to do so, make an interim stalking protection order against D on an application made by the Chief Constable at the same time as the main application or later.

(4) Prohibitions or requirements included in the interim stalking protection order must, so far as practicable, be such as to avoid—

- (a) conflict with D’s religious beliefs, and
- (b) interference with any times at which D normally works or attends an educational establishment.

(5) A prohibition or requirement included in the interim stalking protection order, unless expressly limited to a particular locality, is to be complied with—

- (a) in all parts of the United Kingdom, and
- (b) if D resides in Northern Ireland or was resident in Northern Ireland when the main application was made or is a UK national, also everywhere outside the United Kingdom.

(6) The interim stalking protection order has effect only for a fixed period specified in the order, but this is subject to subsections (9) and (10).

(7) The Chief Constable or D may apply to a court of summary jurisdiction for an order varying, renewing or discharging the interim stalking protection order.

(8) On an application under subsection (7), the court may make any order varying, renewing or discharging the interim stalking protection order that the court considers appropriate.

(9) The interim stalking protection order ceases to have effect, if it has not already done so, on the making of a stalking protection order on the main application or on the withdrawal of the main application.

(10) Where the interim stalking protection order is in force immediately before the dismissal of the main application, it ceases to have effect on the first occasion after the dismissal when the following conditions are satisfied—

- (a) there is no pending appeal to the county court from the dismissal,
- (b) the time for making such an appeal (taking account of any extension granted) has expired, and
- (c) there is no pending application to extend the time for making such an appeal.