



2022 CHAPTER 17

Stalking protection orders

Meaning of act associated with stalking and risk associated with stalking

6.—(1) This section applies for the purposes of this section and sections 7 to 10.

(2) An “act associated with stalking” is any of the following—

- (a) following a person;
- (b) contacting, or attempting to contact, a person by any means;
- (c) publishing any statement or other material—
 - (i) relating or purporting to relate to a person, or
 - (ii) purporting to originate from a person;
- (d) monitoring the use by a person of the internet, email or any other form of electronic communication;
- (e) entering any premises;
- (f) loitering in any place (whether public or private);
- (g) interfering with any property in the possession of a person;
- (h) giving anything to a person or leaving anything where it may be found by, given to or brought to the attention of a person;
- (i) watching or spying on a person;
- (j) acting in any other way that it would be reasonable to expect would cause a reasonable person to suffer fear, alarm or substantial distress.

(3) A “risk associated with stalking” is a risk of—

- (a) a person carrying out acts associated with stalking, and

(b) another person being a victim of those acts (if carried out).

(4) Where there is a risk associated with stalking, the person mentioned in subsection (3)(a) “poses a risk associated with stalking” to any person within subsection (3)(b).

(5) The acts mentioned in subsection (3) may be acts which the person mentioned in subsection (3)(a) knows, or ought to know, are unwelcome to a person within subsection (3)(b) even if, in other circumstances, the acts would appear harmless in themselves.

(6) A reference to being a victim of acts associated with stalking is a reference to being a target of the acts or to suffering physical or psychological harm because of, or otherwise being a victim of, the acts.