



2022 CHAPTER 17

Stalking protection orders

Power to make orders

8.—(1) This section applies where the Chief Constable has applied under section 7 to a court of summary jurisdiction for a stalking protection order against a person (“D”).

(2) The court may make the order if satisfied that—

- (a) D has carried out acts associated with stalking,
- (b) D poses a risk associated with stalking to another person, and
- (c) the proposed order is necessary to protect another person from such a risk (whether or not the other person was a victim of the acts mentioned in paragraph (a)).

(3) The court may include a prohibition or requirement in the stalking protection order only if satisfied that the prohibition or requirement is necessary to protect the other person from a risk associated with stalking.

(4) Prohibitions or requirements 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) The court may not include any prohibition or requirement in the order which is incompatible with a prohibition or requirement in a stalking protection order to which D is already subject (whether made by that court or another).

(6) A prohibition or requirement, 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 application for the order was made or is a UK national, also everywhere outside the United Kingdom.
- (7) It does not matter—
- (a) whether the acts mentioned in subsection (2)(a) were carried out in a part of the United Kingdom or elsewhere, or
 - (b) whether they were carried out before or after the coming into operation of this section.