
STATUTORY INSTRUMENTS

1997 No. 1180

The Protection from Harassment (Northern Ireland) Order 1997

Restraining orders [^{F1}on conviction]

7.—(1) A court sentencing or otherwise dealing with a person (“the defendant”) convicted of an offence^{F2}. . . may (as well as sentencing him or dealing with him in any other way) make an order under this Article.

(2) The order may, for the purpose of protecting the victim of the offence, or any other person mentioned in the order, from^{F3}. . . conduct which—

- (a) amounts to harassment; or
- (b) will cause a fear of violence,

prohibit the defendant from doing anything described in the order.

(3) The order may have effect for a specified period or until further order.

[^{F4}(3A) In proceedings under this Article both the prosecution and the defence may lead, as further evidence, any evidence that would be admissible in proceedings for an injunction under Article 5.]

(4) The prosecutor, the defendant or any other person mentioned in the order may apply to the court which made the order for it to be varied or discharged by a further order.

[^{F5}(4A) Any person mentioned in the order is entitled to be heard on the hearing of an application under paragraph (4).]

(5) If without reasonable excuse the defendant does anything which he is prohibited from doing by an order under this Article, he shall be guilty of an offence.

(6) A person guilty of an offence under this Article shall be liable—

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

[^{F6}(7) A court dealing with a person for an offence under this Article may vary or discharge the order in question by a further order.]

F1 Art. 7: words in the heading inserted (30.9.2009) by Domestic Violence, Crime and Victims Act 2004 (c. 28), ss. 58(1), 60, Sch. 10 para. 47(2); S.I. 2009/2501, art. 2(c)(d)

F2 Words in art. 7(1) repealed (30.9.2009) by Domestic Violence, Crime and Victims Act 2004 (c. 28), ss. 13(1), 58(2), 60, Sch. 11; S.I. 2009/2501, art. 2(b)(c)(e)

F3 Word in art. 7(2) repealed (30.9.2009) by Domestic Violence, Crime and Victims Act 2004 (c. 28), ss. 58, 60, Sch. 10 para. 47(3), Sch. 11; S.I. 2009/2501, art. 2(c)(d)(e)

F4 Art. 7(3A) inserted (30.9.2009) by Domestic Violence, Crime and Victims Act 2004 (c. 28), ss. 13(2), 60; S.I. 2009/2501, art. 2(b)

F5 Art. 7(4A) inserted (30.9.2009) by Domestic Violence, Crime and Victims Act 2004 (c. 28), ss. 13(3), 60; S.I. 2009/2501, art. 2(b)

Changes to legislation: *The Protection from Harassment (Northern Ireland) Order 1997, Section 7 is up to date with all changes known to be in force on or before 10 May 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*

F6 Art. 7(7) inserted (30.9.2009) by Domestic Violence, Crime and Victims Act 2004 (c. 28), ss. 13(4), 60; S.I. 2009/2501, **art. 2(b)**

Modifications etc. (not altering text)

C1 Art. 7 applied (with modifications) (11.1.2015) by The Criminal Justice (European Protection Order) (Northern Ireland) Regulations 2014 (S.R. 2014/320), regs. 1(1), **13(2)**

Changes to legislation:

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[View outstanding changes](#)

Changes and effects yet to be applied to :

- art. 7 heading word inserted by [2016 c. 18 \(N.I.\) s. 210\(1\)\(a\)](#) (W/E as mentioned in s. 210(3))

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 7(7)-(9) substituted for art. 7(7) by [2016 c. 18 \(N.I.\) s. 210\(1\)\(b\)](#) (W/E as mentioned in s. 210(3)(4))