

Schedule 2

Rule 9(2).

“Order 119

The Protection from Harassment (Northern Ireland) Order 1997

Interpretation

1. In this Order “the Order” means the Protection from Harassment (Northern Ireland) Order 1997(1).

Assignment of Proceedings

2. Proceedings under Article 5 of the Order shall be assigned to the Queen’s Bench Division.

Warrants of arrest

3. An application for the issue of a warrant for the arrest of the defendant under Article 5(3) of the Order shall—

- (a) state that it is an application for the issue of a warrant for the arrest of the defendant;
- (b) set out the grounds for making the application and be supported by affidavit or evidence on oath;
- (c) state whether the plaintiff has informed the police of the defendant’s conduct on which the application is grounded; and
- (d) state whether, to the plaintiff’s knowledge, criminal proceedings are being pursued.

Form of Warrant

4. A Warrant of Arrest issued in accordance with Article 5(3) shall be in Form 66 in Appendix A.

Proceedings

5. The court before whom a person is brought following his arrest may:

- (a) determine whether the facts and the circumstances which led to the arrest amounted to disobedience of the injunction, or
- (b) adjourn the proceedings and where such an order is made, the arrested person shall be released and—
 - (i) may be dealt with within 14 days of the day on which he was arrested; and
 - (ii) be given not less than 2 days notice of the adjourned hearing.

Saving

6. This Order shall apply to injunctions granted on or after the date of the commencement of this Order and injunctions granted before that date shall be treated as if this Order had not come into operation.”

(1) S.I.1997/1180 (N.I. 9)