



Protection from Harassment Act 1997

1997 CHAPTER 40

England and Wales

5 Restraining orders

- (1) A court sentencing or otherwise dealing with a person (“the defendant”) convicted of an offence under section 2 or 4 may (as well as sentencing him or dealing with him in any other way) make an order under this section.
- (2) The order may, for the purpose of protecting the victim of the offence, or any other person mentioned in the order, from further 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.
- (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.
- (5) If without reasonable excuse the defendant does anything which he is prohibited from doing by an order under this section, he is guilty of an offence.
- (6) A person guilty of an offence under this section is 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.