

Restraining Orders

[The Protection from Harassment \(Northern Ireland\) Order 1997](#)

Art. 7 Restraining orders on conviction

- (1) A court sentencing or otherwise dealing with a person ("the defendant") convicted of an offence. . . 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. . . 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.
- (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.
- (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.
- (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.