



# Protection from Harassment Act 1997

## 1997 CHAPTER 40

### *England and Wales*

#### **1 Prohibition of harassment.**

- (1) A person must not pursue a course of conduct—
- which amounts to harassment of another, and
  - which he knows or ought to know amounts to harassment of the other.

- [<sup>F1</sup>(1A) A person must not pursue a course of conduct —
- which involves harassment of two or more persons, and
  - which he knows or ought to know involves harassment of those persons, and
  - by which he intends to persuade any person (whether or not one of those mentioned above)—
    - not to do something that he is entitled or required to do, or
    - to do something that he is not under any obligation to do.]

- (2) For the purposes of this section [<sup>F2</sup>or section 2A(2)(c)], the person whose course of conduct is in question ought to know that it amounts to [<sup>F3</sup> or involves] harassment of another if a reasonable person in possession of the same information would think the course of conduct amounted to harassment of the other.

- (3) Subsection (1) [<sup>F4</sup> or (1A)] does not apply to a course of conduct if the person who pursued it shows—
- that it was pursued for the purpose of preventing or detecting crime,
  - that it was pursued under any enactment or rule of law or to comply with any condition or requirement imposed by any person under any enactment, or
  - that in the particular circumstances the pursuit of the course of conduct was reasonable.

#### **Textual Amendments**

- F1** S. 1(1A) inserted (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\), ss. 125\(2\)\(a\), 178\(8\); S.I. 2005/1521, art. 3\(1\)\(m\)](#)

---

**Changes to legislation:** There are currently no known outstanding effects for the Protection from Harassment Act 1997, Section 1. (See end of Document for details)

---

- F2** Words in s. 1(2) inserted (25.11.2012) by Protection of Freedoms Act 2012 (c. 9), s. 120, **Sch. 9 para. 143(2)** (with s. 97); S.I. 2012/2075, art. 5(d)
- F3** Words in s. 1(2) inserted (1.7.2005) by Serious Organised Crime and Police Act 2005 (c. 15), **ss. 125(2)(b)**, 178(8); S.I. 2005/1521, art. 3(1)(m)
- F4** Words in s. 1(3) inserted (1.7.2005) by Serious Organised Crime and Police Act 2005 (c. 15), **ss. 125(2)(c)**, 178(8); S.I. 2005/1521, art. 3(1)(m)

**Changes to legislation:**

There are currently no known outstanding effects for the Protection from Harassment Act 1997, Section 1.