
STATUTORY INSTRUMENTS

1997 No. 1180

The Protection from Harassment (Northern Ireland) Order 1997

Civil remedy

5.—(1) An actual or apprehended breach of Article 3 may be the subject of a claim in civil proceedings by the person who is or may be the victim of the course of conduct in question.

(2) On such a claim, damages may be awarded for (among other things) any anxiety caused by the harassment and any financial loss resulting from the harassment.

(3) Where—

- (a) in such proceedings the High Court or a county court grants an injunction for the purpose of restraining the defendant from pursuing any conduct which amounts to harassment; and
- (b) the plaintiff considers that the defendant has done anything which he is prohibited from doing by the injunction,

the plaintiff may apply for the issue of a warrant for the arrest of the defendant.

(4) An application under paragraph (3) may be made—

- (a) where the injunction was granted by the High Court, to a judge of that court; and
- (b) where the injunction was granted by a county court, to a judge of that or any other county court.

(5) The judge to whom an application under paragraph (3) is made may only issue a warrant if—

- (a) the application is substantiated on oath; and
- (b) the judge has reasonable grounds for believing that the defendant has done anything which he is prohibited from doing by the injunction.

(6) Where—

- (a) the High Court or a county court grants an injunction for the purpose mentioned in paragraph (3)(a); and
- (b) without reasonable excuse the defendant does anything which he is prohibited from doing by the injunction,

he shall be guilty of an offence.

(7) Where a person is convicted of an offence under paragraph (6) in respect of any conduct, that conduct is not punishable as a contempt of court.

(8) A person cannot be convicted of an offence under paragraph (6) in respect of any conduct which has been punished as a contempt of court.

(9) A person guilty of an offence under paragraph (6) 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.

Changes to legislation:

The Protection from Harassment (Northern Ireland) Order 1997, Section 5 is up to date with all changes known to be in force on or before 24 June 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.

[View outstanding changes](#)

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))