

**Protection from Stalking Bill – Consultation**  
**Response from Lisburn & Castlereagh City Council**  
**April 2021**

- Lisburn & Castlereagh City Council welcomes the intention to improve the operation of the justice system by creating a specific offence of stalking that recognises the experience of victims and the behaviour associated with stalking. The maximum penalty on summary conviction (heard in a Magistrates' Court) is 12 months imprisonment or a fine up to the statutory maximum (that is £5,000) or both. The maximum penalty on conviction on indictment (heard in a Crown Court) is 10 years imprisonment or a fine, or both.
- The Bill also includes the offence of threatening and abusive behaviour that can be made out after a single incident. The maximum penalty on summary conviction (heard in a Magistrates' Court) is 12 months imprisonment or a fine not exceeding the statutory maximum (£5,000) or both. The maximum penalty on conviction on indictment (heard in a Crown Court) is 5 years imprisonment or a fine or both. The Council supports the creation of this offence to provide protection of the law for victims.
- The Bill provides that all victims of stalking will have automatic eligibility for special measures assistance, such as the use of live links or screens at court, when giving evidence in proceedings. The safeguarding of victims is welcomed as part of this Bill.
- Lisburn Castlereagh City Council would ask the Department to consider hearing cases of threatening and abusive behaviour and stalking in Family Court in order to provide victims with anonymity during the court process. This would encourage victims to come forward and provide confidence in the justice system.

- The Council fully supports the introduction of Stalking Protection Orders to provide protection to a person at risk of stalking. A Stalking Protection Order is a preventative measure which can impose both prohibitions and requirements on the perpetrator as necessary for the purpose of preventing them from carrying out acts associated with stalking. The Orders will enable early police intervention pre-conviction to address stalking behaviours before they become entrenched or escalate in severity and to protect victims from more serious harm. Stalking Protection Orders can equally be made post-conviction to help to prevent further stalking. The maximum penalty for the offence of breaching a Stalking Protection Order on summary conviction (heard in a Magistrates' Court) is 6 months imprisonment or a fine not exceeding the statutory maximum (£5,000) or both. The maximum penalty on conviction on indictment (heard in a Crown Court) is 5 years imprisonment or a fine, or both.
- The police will be able to apply to the Court for a Stalking Protection Order if it appears that a person has carried out acts associated with stalking or poses a risk associated with stalking to another person or there is reasonable cause to believe the Stalking Protection Order is necessary to protect another person from such risk. Lisburn Castlereagh City Council is supportive of the police making applications to the Court for Stalking Protection Orders.