

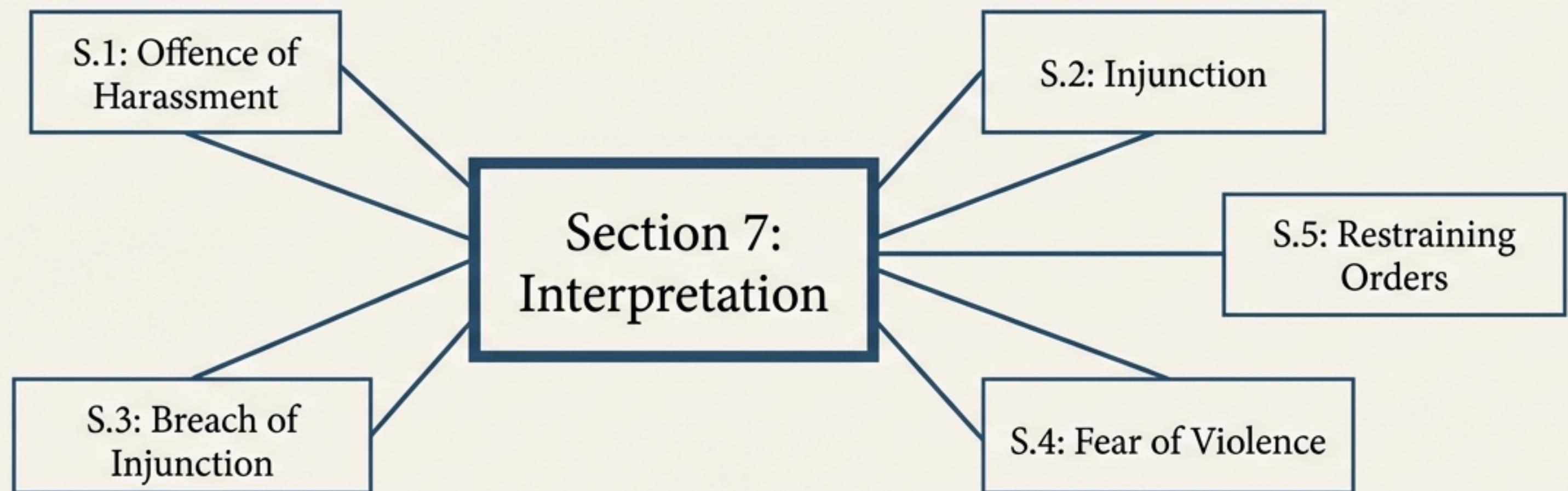


# The Interpreter's Guide: Unlocking the Protection from Harassment Act 1997

A Deep Dive into Section 7

# Section 7 is the Official Dictionary for the Act

The Protection from Harassment Act 1997 relies on precise definitions. Section 7 provides the official interpretation for the key terms used in the offenses outlined in Sections 1 through 5. Without mastering this section, it is impossible to correctly identify what constitutes harassment in a court of law. This guide will deconstruct Section 7, one definition at a time.



# The Rule | S. 7(1): Defining the Scope of Interpretation

"This section applies for the interpretation of sections 1 to 5."

## Interpretation

In simple terms, this subsection acts as a jurisdictional clause. It confirms that the specific legal definitions we are about to explore are tailor-made for this Act alone. They cannot be automatically applied to other laws, like the Theft Act or the Offences against the Person Act, unless explicitly stated.



Theft Act 1968  
Offences against the Person Act 1861  
Criminal Justice Act 1988  
Malicious Communications Act 1988

# The Rule | S. 7(2): The Definition of Harassment

"References to harassing a person include alarming the person or causing the person distress."

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## Interpretation

The Act focuses on the *impact* of the conduct, not a pre-defined list of actions. The key question is whether the victim's peace of mind was negatively affected. The conduct must cause either **alarm** (fear, panic, a sense of danger) or **distress** (emotional suffering, deep upset, anxiety).



Alarm



Distress

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## Application | In Practice

### To Cause Alarm

- **The Target:** A woman leaving work late at night.
- **The Act:** Repeatedly finding unsigned notes on her car saying, "I know what time you get home."
- **The Effect:** A growing fear for her personal safety.

### To Cause Distress

- **The Target:** A family grieving a recent loss.
- **The Act:** A neighbor repeatedly plays loud funeral music every time they enter their garden.
- **The Effect:** Significant emotional suffering and upset, without direct fear of violence.

# The Rule | S. 7(3)(a): The ‘Course of Conduct’ for a Single Person

"A 'course of conduct' must involve '...conduct on at least two occasions in relation to that person'."

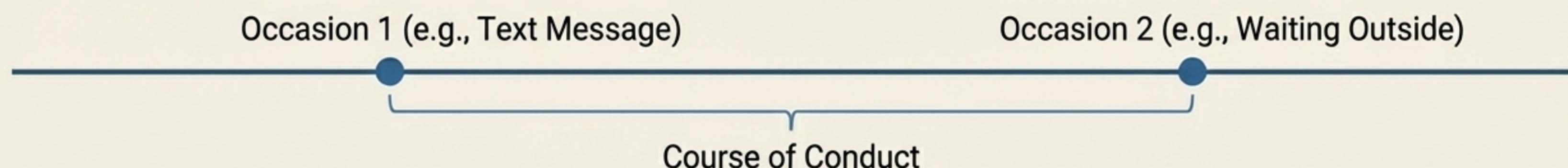
## Interpretation

Harassment is not a single, isolated incident. The law requires a pattern of behavior. To prove harassment against one victim, the prosecution must show that the conduct happened **at least twice**. The two events can be different in nature but must be related.

## Application | In Practice



**Not Harassment (One Occasion):** Student A sends one angry, abusive text to Student B after an argument. This is not a "course of conduct."



**Is Harassment (Two Occasions):** Student A sends an abusive text on Monday. On Tuesday, Student A **waits intimidatingly** outside Student B's classroom. The two separate acts now form a pattern.

# The Rule | S. 7(3)(b): The “Course of Conduct” for a Group

For conduct involving two or more persons, a "course of conduct" involves "...conduct on at least one occasion in relation to each of those persons."

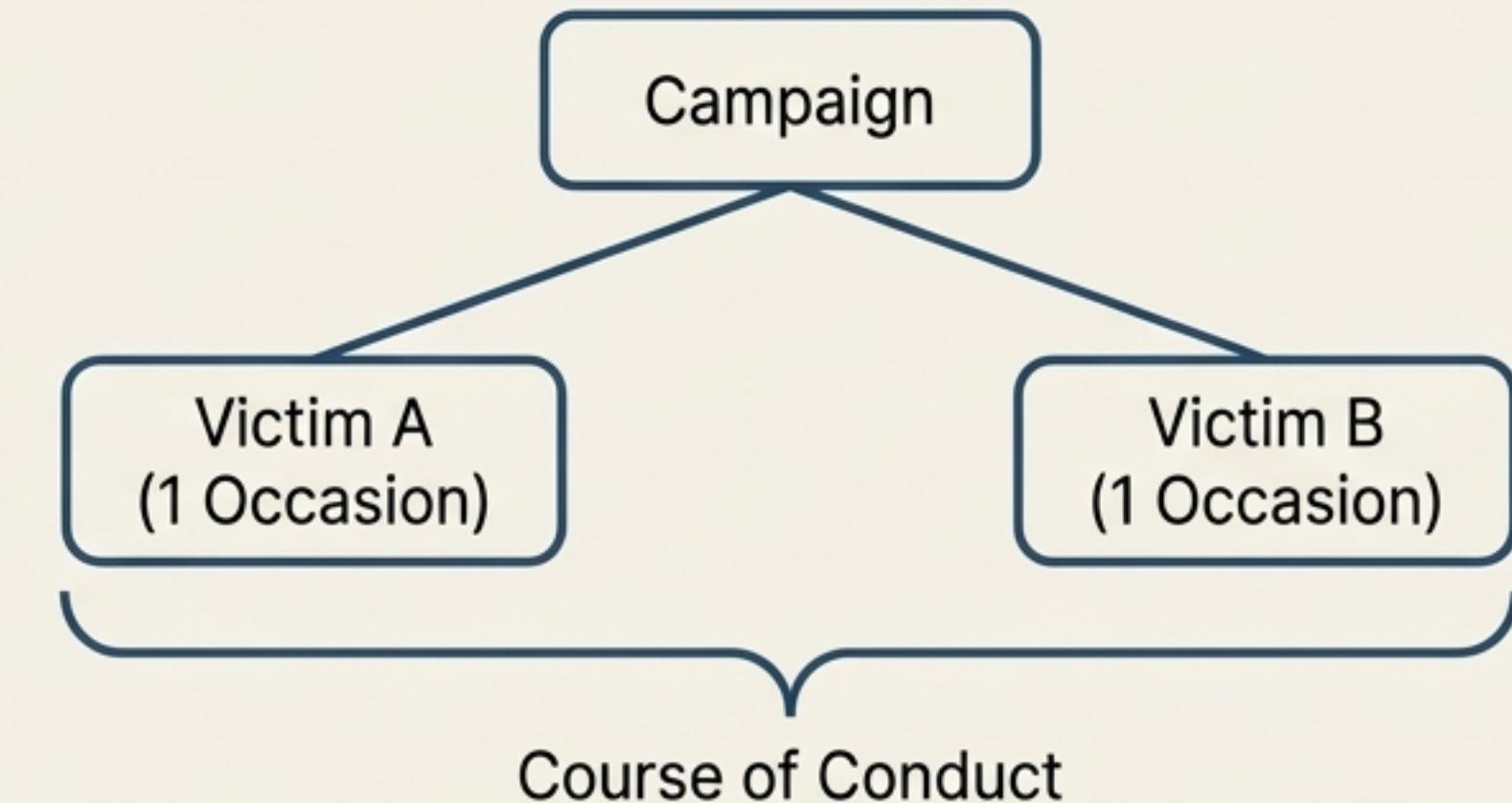
## Interpretation

This rule applies to collective harassment, often seen in activism or protest contexts (under S. 1(1A)). If a person targets a group to persuade them of something, they don't need to harass each person twice. Harassing at least two people, just **once each**, is enough to establish a "course of conduct."

## Application | In Practice

An activist wants to shut down a research lab.

- **Day 1:** He slashes the tires of Employee A's car (Occasion 1, Victim A).
- **Day 2:** He sprays paint on the house of Employee B (Occasion 1, Victim B).



The Result: Even though A and B were only targeted once each, this is a legal "course of conduct" because it's a campaign involving two or more people.

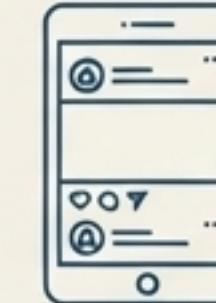
# The Rule | S. 7(4): "Conduct" Includes Speech

"Conduct" includes speech.

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## Interpretation

This is a crucial clarification. "Conduct" is not limited to physical actions like following, stalking, or property damage. **Words alone**—whether spoken, written, or posted online—fully satisfy the definition of conduct under the Act.



## Application | In Practice

**The Act:** A person repeatedly posts false, humiliating, and distressing rumors about a colleague on a public social media platform.

**The Result:** Even with no physical contact, the online posts ("speech") constitute "conduct" and can be part of a harassment claim.

# The Rule | S. 7(5): The ‘Person’ Must Be an Individual

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"References to a person... are references to a person who is an individual."

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## Interpretation

The Act's protection is limited to human beings ("natural persons"). A corporate entity, like a company, bank, or organization, cannot be the "victim" of harassment. However, the individual employees who work for that company *can* be victims.

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## Application | In Practice

A disgruntled customer shouts abuse outside a bank.



**Can Sue:** The Bank Teller, who is made to feel alarmed and distressed by the abuse, *can* bring a harassment claim because they are an individual.



**Cannot Sue:** The Bank PLC (the corporation) **cannot** bring a harassment claim, as it is not an "individual."

# The Interpreter's Key: Section 7 at a Glance

	Scope	Applies only to Sections 1-5 of this Act.
	Harassment	Must cause <b>Alarm or Distress</b> .
	Course of Conduct (Single Victim)	At least <b>two occasions</b> .
	Course of Conduct (Group)	At least <b>one occasion</b> per person (min. 2 people).
	Conduct	Includes <b>Speech</b> (verbal, written, digital).
	Person	Must be an <b>Individual</b> (human), not a company.



## The Challenge: Apply the Interpreter's Guide

- An online vlogger posts one highly critical video review of a new restaurant, causing distress to the owner.
- In response, the restaurant's official corporate social media account leaves a single, threatening comment on the vlogger's public video.
- The next day, the restaurant's owner uses their personal account to send a single, abusive private message to the vlogger.

Using the rules from Section 7, has a “course of conduct” taken place? Who is the potential victim, and who is the potential perpetrator?

Consider the rules for “person,” “conduct,” and “course of conduct.”