

Responding to intimidating behaviour in elections and public office

A CPS guide

March 2024



Foreword from the Director of Public Prosecutions, Stephen Parkinson



Crimes committed against those who stand for, and serve in, public office strike at the heart of our democracy. They threaten the lifeblood of democracy itself – participation – and we must do everything possible to tackle them. The role of the CPS is to bring offenders to justice whenever this happens in England and Wales, through the independent, fair and effective prosecution of crime.

We will not hesitate to consider every offence available in the pursuit of justice – applying the law firmly and fairly in each and every case. The independent nature of our service means we act without fear or favour; our forensic focus is on the evidence and the allegation of criminality. We also consider the impact – on our democratic system and wider society – when deciding whether to prosecute. And the importance of safeguarding our democracy and maintaining a safe society means there is likely to be a particularly strong public interest in prosecuting offences committed against victims serving the public.

This pack – written for holders of elected office, candidates, campaigners and their staff – is intended to help you recognise and report potential crimes in England and Wales. I hope it will provide a useful guide but would like to emphasise that no-one who is confronted by criminality is expected to have detailed knowledge of the criminal justice system or criminal law. I urge you, if you think a crime has taken place, to report it to the police. An investigation can then take place, and the case referred to the CPS for a decision on prosecution.

In the coming months there will be local and national elections in the UK – and 2024 is being called the biggest global election year in history with more than 60 countries, representing nearly half the world’s population, holding elections. As Director of Public Prosecutions I have been clear, from the outset of my tenure, that I will be doing everything in my power to ensure that where criminals threaten any election or elected representative in England and Wales they are brought to justice.

I sincerely hope that you will not encounter the criminal conduct outlined in this pack, but I nonetheless also hope that you find it of interest and reassurance.

A handwritten signature in blue ink, appearing to read 'Stephen Parkinson', with a small flourish at the end.

Stephen Parkinson
Director of Public Prosecutions

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Investigation and prosecution

The police are responsible for investigating alleged crimes. The Crown Prosecution Service (CPS) is responsible for the prosecution of criminal offences at court.

Reporting a crime

As with every victim or witness, if you or member of your team believes that a criminal offence has been committed, you are encouraged to report it to the police as soon as possible. If you are concerned about intimidating behaviour or think that you or a colleague may have been a victim of crime, please contact the police on 999 for an emergency or 101 in a non-emergency. These contact details are the same, whether you are contacting the police in England and Wales, Scotland or Northern Ireland. If you wish to remain anonymous you can report a crime to Crimestoppers by phoning 0800 555 111 or by visiting www.crimestoppers-uk.org.

In particular, you should contact the police where you know of or suspect the following actions or behaviour:

- communications, online or offline, which contain excessively abusive or threatening language
- repeated unwanted contact that may constitute harassment or stalking
- sexist, racist, homophobic or other discriminatory abuse and threats.

The following indicators (“red flags”) may signal an escalation and should be brought to the immediate attention of your local police:

- a threat of imminent violence
- fixation on you
- access to weapons, or weapons skills
- the release of information about you which is not already in the public domain.

If you can, preserve evidence of what has happened, for instance a note made of the contents of a telephone call, or a screenshot of an online

communication. You can then provide this to the police on your first contact with them.

Parliamentary Security Department

The Parliamentary Security Department provides security measures for Members of Parliament. Members and their staff with access to ParliNet can find out further information there.

Scotland and Northern Ireland

For guidance on how to recognise and report potential offences in:

- Scotland – please see the website of [Police Scotland](#)
- Northern Ireland – please see the website of the [Police Service of Northern Ireland](#).

The charging decision

During the investigation the police may seek advice from the CPS about lines of inquiry to follow and the CPS might set an “action plan” for the police to complete in order for the case to be ready for a charging decision. The police remain responsible for the investigation throughout its course. This includes investigative decisions such as whether or not to investigate, how to investigate and the timescale of the investigation. A police investigation may take some time to complete, depending on its complexity and the challenges it encounters.

When the police have completed their investigation, they may make a charging decision or refer the case to the CPS. A charging decision means deciding whether the case will go to court or not. The [Director of Public Prosecution’s Guidance on Charging 6th Edition](#) (“DG6”) sets out which cases the police may charge, but in general terms the more serious the case the more likely it is the CPS will take the charging decision.

Any decision to prosecute must be taken in accordance with the [Code for Crown Prosecutors](#), which sets out the two-stage test which must be satisfied before a prosecution can be commenced:

1. Is there sufficient evidence for a realistic prospect of conviction for the offence alleged? (“the evidential stage”)

This involves an objective analysis of the evidence and an assessment of whether a conviction is more likely than not. It does not involve making findings of fact. The assessment of likelihood is the same, whatever the offence and whomsoever the victim. Prosecutors will need to consider: whether the evidence can be used in court; whether the evidence is reliable; whether the evidence is credible; whether there is any other material which might affect the sufficiency of evidence.

2. If (and only if) the evidential stage is met, is a prosecution required in the public interest? (“the public interest stage”)

It has never been the rule that a prosecution will automatically take place once the evidential stage is met. A prosecution will usually take place unless the prosecutor is satisfied that there are public interest factors tending against prosecution which outweigh those tending in favour. Relevant public interest considerations are set out in the Code itself. One relevant factor is the circumstances of and harm to the victim. A prosecution is more likely to be required in the public interest if the offence has been committed against a victim who was at the time a person serving the public. In some cases, the public interest is served by the suspect accepting a caution or conditional caution.

The police will, if they are not charging the case themselves in accordance with DG6, submit a case to the CPS for a charging decision where they are satisfied this two-stage test is met and where any action plan set by the CPS has been completed.

The court process

If the case is charged, the CPS has conduct of the prosecution from the first hearing to its conclusion. If the defendant pleads not guilty, the CPS will prepare the case for trial. This means preparing the evidence in the case, including whether you will need to give evidence or not, whether your statement will be read to the court or whether you need to attend the

courtroom or other location. This includes providing to the defendant material which may reasonably be considered capable of undermining the prosecution case or assisting the defence case, to ensure a fair trial. If the defendant pleads guilty or is convicted after a trial, the CPS will present the prosecution case at the sentencing hearing to assist the court in passing sentence.

Keeping you informed

We recognise that being a victim or witness to a crime can often be difficult. We treat all victims and witnesses with respect and understanding throughout the justice process. The [Code of Practice for Victims of Crime](#) (Victims' Code) sets out minimum standards of service that victims can expect from the CPS and other criminal justice agencies. It aims to ensure that victims are provided with timely, accurate information about their case at all stages of the criminal justice process.

When you report a crime, you have a right under the Victims' Code to written confirmation of your allegation. This will include the basic details of the offence, a crime reference number and the contact details of the police officer dealing with your case. You will need to refer to the crime reference number if you want to contact the police again about the incident, or if you want to make an insurance or compensation claim.

Either the police or the CPS will write to a victim to confirm whether a case is being charged or not. If you are the victim and, once charged, the CPS later decide not to proceed or substantially change the charge(s), you will be told the reasons why within five working days (or one working day if you are entitled to Enhanced Rights under the Victims' Code).

The Witness Care Unit (WCU) manages the care of victims and witnesses from the point of charge through to the conclusion of a case. The WCU is managed by the police, not the CPS. Your witness care officer will contact you if the defendant(s) have pleaded not guilty to discuss any support and assistance that you may require to attend court. This includes special measures that might help you if you have to give evidence in court (for example in some cases

it is possible for evidence to be given from behind a screen so that you cannot see the defendant and they cannot see you). The WCU will:

- let you know where and when the trial will happen
- arrange for you to visit the court before the trial starts, so you know what to expect
- help you get to the trial and give evidence, e.g. by arranging train tickets or explaining what other costs can be claimed for, such as childcare expenses.

Victim Personal Statement

If you are a victim, in addition to giving a witness statement to the police, you can also provide a Victim Personal Statement (VPS). This allows you to describe the effect that a crime has had on you, whether physically, emotionally or financially. The statement can be made at the same time as your witness statement and can be added to at later stages of proceedings. The police, the CPS, the defence, the magistrates and judges may all see the statement. It may be read out in court by an advocate or by you, with permission of the judge, at the point of sentencing if the defendant is convicted.

Review of a decision by the police

If you, as a victim, are dissatisfied with a police decision not to prosecute a suspect, you have a right to ask for a review of that decision. The review process is administered by each police force separately, so victims should contact the police force that took the decision in their case should they wish to exercise their right. Victims may request a review within three months of being notified of the decision not to charge. Requests made after this period will be dealt with at the discretion of the police force.

Reviews will not ordinarily be conducted until the conclusion of the investigation. The right to review only applies where a suspect has been identified and interviewed under caution; where police make a decision not to bring proceedings in cases where they have the authority to charge a suspect; or where police make a decision that the case does not meet the Threshold Test for referral to the CPS for a charging decision.

There are six potential outcomes of a review:

- the original decision to take no further action is upheld
- the original decision is overturned and proceedings are commenced against the suspect, i.e. they are charged/summonsed
- the original decision is overturned and the suspect is dealt with by way of an out of court disposal
- the original decision is overturned and the case is referred to the CPS for a charging decision
- it is determined that further enquires need to be completed before the reviewing officer can make their decision
- the original decision is overturned but the case cannot proceed because a time limit to prosecution applies and proceedings cannot be instigated.

Review of a decision by the CPS

If you are dissatisfied with the decision taken by the CPS in your case, mechanisms are available to challenge it:

- A victim may challenge a CPS decision under the [Victim's Right to Review](#) (VRR) scheme. In the first instance, please contact the CPS office where the qualifying decision was made. The details will have been provided to you when you were told that the decision had been made or you can ask for VRR through our [website](#). A request for a review should be made within 10 days of the decision being communicated for a prompt review to be enabled, however, requests for review will be considered up to three months after the original decision.
- Where a review is requested after the time limit for prosecuting an offence has expired, or the case was stopped in a way that means it cannot be revived ("no evidence was offered") the decision may still be reviewed. If the decision was found to be wrong, unfortunately no proceedings can follow, but the CPS may offer an apology or compensation, depending on the circumstances.
- Under the CPS [Feedback and Complaints](#) Procedure, any person may raise concerns about any aspect of the CPS' performance, or if they think

we have not met our obligations under the Victims' Code. There is no time limit for doing so. If you want to complain, the first thing to do is to talk to your local CPS or the member of staff involved. They will try to resolve the problem immediately. You can also make a complaint through the [CPS Online Feedback and Complaints Form](#). We will respond to complaints effectively and deal with them sensitively, fairly and thoroughly.

- If you are dissatisfied with the CPS' response, you can refer a complaint to the Parliamentary and Health Service Ombudsman (PHSO). You can either complete the [PHSO Online Complaint Form](#) or call: 0345 015 4033.

Who to contact for additional support

Practical advice and information, for dealing with suspected crime and for dealing with being a victim of crime, is also available from:

- Get Safe Online www.getsafeonline.org
- Suzy Lamplugh Trust www.suzylamplugh.org
- Alice Ruggles Trust www.alicerugglestrust.org
- Victim Support www.victimsupport.org.uk 08 08 16 89 111

Potential criminal offences

Some offences that can only be dealt with by a magistrates' court are time-limited by law and must be charged within six months of when they were committed. This means that early reporting is essential, otherwise the time limit will come into effect and prevent the case from proceeding. This pack identifies offences which are "time-limited".

Offences may also be committed where a person attempts to commit them, or encourages or assists another person to commit them, or aids or abets their commission.

The CPS is a public authority and must act compatibly with the rights and freedoms of individuals as set out in the European Convention on Human Rights, including when taking the decision to prosecute. Many allegations of criminal offences do not engage these rights. Where they are engaged, they are not absolute, and may be restricted by law for reasons including the protection of the rights of others, public safety and the prevention of disorder or crime. However, where a right such as the right to freedom of expression is engaged, that needs to be taken into account when making a charging decision, as set out above, and in the context of the criminal offences outlined below. For further details of how prosecutors approach this assessment where protests are concerned, please see the CPS published guidance:

- [Offences during Protests, Demonstrations or Campaigns | The Crown Prosecution Service \(cps.gov.uk\)](https://www.cps.gov.uk/offences-during-protests-demonstrations-or-campaigns)

The following section of this pack outlines several different offences in England and Wales. It cannot, however, cover all potential scenarios. It should not be treated as legal advice, nor is it intended to be an exhaustive account of these areas of law. Each case will always fall to be considered on its own facts and circumstances.

Public order offences

The following offences contrary to the Public Order Act 1986 are intended to penalise the intimidation by individuals (or groups) using threatening, abusive

or insulting words or behaviour, or the display of writing, signs or other visible representations (such as on clothing), which are:

- intended to (or are likely to) cause fear of, or to provoke, immediate violence: [section 4](#)
- intended to cause harassment, alarm or distress and which do cause harassment, alarm or distress: [section 4A](#)
- likely to cause harassment, alarm or distress (threatening or abusive words or behaviour only): [section 5](#).

These offences are all time-limited and must be charged within six months.

These offences can be committed in a public or private place but not when all the parties involved are in a dwelling (usually a person's home or other living accommodation). A dwelling does not include communal spaces or gardens.

It is a defence to the offences in section 4A and section 5 for the accused to demonstrate that their conduct was reasonable.

For further details, see the CPS published guidance:

- [Public Order Offences incorporating the Charging Standard | The Crown Prosecution Service \(cps.gov.uk\)](#)

Criminal damage

The [Criminal Damage Act 1971](#) creates offences relating to destruction or damage to property.

Where a person destroys or damages any property belonging to another person and they either intended to destroy or damage it or were reckless in doing so, they may commit [criminal damage](#).

Criminal damage is not a time limited offence.

The legislation provides for a defence that the suspect honestly believed they had a lawful excuse to act in the way that they did. An aggravated form of the

offence is committed if the suspect intends or is reckless as to whether life will be endangered by the destruction or damage to property.

Threatening criminal damage is also an offence. The defendant has to intend that the person threatened would fear that the threat would be carried out. This offence is not time limited.

For further details see the CPS published guidance:

- [Criminal Damage | The Crown Prosecution Service \(cps.gov.uk\)](https://www.cps.gov.uk/criminal-damage)

Assaults

In ascending order of seriousness, the most common offences are:

- [common assault](#) (conduct that makes someone fear immediate violence even if there is no physical contact i.e. spitting or directing threatening words towards someone)
- [battery](#) (where unlawful physical force is applied to another person)
- [assault occasioning actual bodily harm](#)
- [inflicting grievous bodily harm](#)
- [causing grievous bodily harm with intent to do so](#).

Only common assault and battery are time-limited and must be charged within six months. (There is an exception to this for domestic abuse common assault or battery: [section 39A Criminal Justice Act 1988](#)).

Self-defence, defence of another, prevention of damage to property or prevention of a crime are potential defences to a charge of assault. The defence requires that the suspect honestly (even if mistakenly or unreasonably) believed that force was necessary, and that the level of force used was reasonable in the context of the facts as they honestly believed them to be at the time.

For further details see the CPS published guidance:

- [Offences against the Person, incorporating the Charging Standard | The Crown Prosecution Service \(cps.gov.uk\)](#)

- [Self-Defence and the Prevention of Crime | The Crown Prosecution Service \(cps.gov.uk\)](https://www.cps.gov.uk)

Harassment

The offence of harassment (contrary to [section 2 Protection from Harassment Act 1997](#)) is committed where a person engages in a course of conduct that amounts to the harassment of another person, and they know it amounts to harassment or they ought to know.

Whether behaviour by the suspect amounts to a “course of conduct” is a fact-specific assessment. It requires behaviour on more than one occasion, but this need not be the same behaviour each time. A phone call, face-to-face meeting, email or “X”/Twitter post are different types of behaviour, but when taken together could be considered to amount to a course of conduct depending on factors such as the number of occasions and the period over which they took place. Behaviour that begins as a legitimate complaint or inquiry may turn into harassment if it becomes unreasonably prolonged or persistent. Conduct that is targeted at a small group of people can also amount to harassment, for example behaviour towards a campaign team intended to influence the candidate.

It is a defence to prove the conduct was reasonable.

Harassment of a person in their home

Further, a person commits an offence of harassment contrary to [section 42A](#) Criminal Justice and Policing Act 2001 if:

- they are present outside or in the vicinity of a premises used by any individual (the resident) as their dwelling
- they are present for the purpose of representing to, or persuading, the resident or another individual that they should not do something that they are entitled or required to do, or that they should do something that they are not obliged to do (“the purposes”)
- they intend their presence to amount to the harassment of, or the causing of alarm or distress to, the resident

- they know or ought to know that this conduct is likely to amount to harassment
- their presence (alone or with others present) amounts to harassment or causes alarm or distress to the resident, another person in the resident's dwelling or a neighbour of the resident
- their presence (alone or with others present) is likely to result in the harassment of, or cause alarm or distress to, those same persons.

This offence is time limited.

This offence may be committed where protestors attend any home address with the intention of persuading, through harassment, alarm or distress, a candidate or an elected representative to do/not do something (the purposes, above).

Harassment by persistent or disorderly following

Conduct with the intention of compelling another person to do something they are not obliged to do, or not do something they are entitled to do, is criminalised where it involves persistently following a person around, or following in a disorderly manner with two or more people, or watching or troubling a place where a person resides, works, carries on business or happens to be, by [section 241 Trade Union and Labour Relations \(Consolidation\) Act 1992](#) (the provisions are not limited to labour disputes).

This offence is time limited.

Stalking

The offence of stalking ([contrary to section 2A Protection from Harassment Act 1997](#)) is committed where the offence of harassment is committed but in a manner that amounts to stalking. Stalking is characterised by repeated behaviours that indicate fixation, obsession and control. A non-exhaustive list of examples includes:

- following a person
- contacting, or attempting to contact, a person by any means

- publishing any statement or other material –
 - relating or purporting to relate to a person, or
 - purporting to originate from a person
- monitoring the use by a person of the internet, email or any other form of electronic communication
- loitering in any place (whether public or private)
- interfering with any property in the possession of a person
- watching or spying on a person.

Both harassment and stalking are time limited offences and must be charged within six months. There is a more serious form of both harassment and stalking where they cause fear of violence or, in the case of stalking, cause serious alarm or distress which has a substantial adverse effect on the victim's usual day-to-day activities. This form of both offences is not time limited.

There are preventative civil options available to victims of harassment and stalking including Stalking Prevention Orders and injunctions. Restraining Orders can also be applied for on the conviction or acquittal of the person concerned. Breaching an order (civil or criminal) is a criminal offence which is not time limited.

For further details see the CPS published guidance:

- [Stalking or Harassment | The Crown Prosecution Service \(cps.gov.uk\)](https://www.cps.gov.uk/stalking-harassment)
- [Stalking Protection Orders | The Crown Prosecution Service \(cps.gov.uk\)](https://www.cps.gov.uk/stalking-protection-orders)
- [Restraining Orders | The Crown Prosecution Service \(cps.gov.uk\)](https://www.cps.gov.uk/restraining-orders)

Additional information on stalking in particular is available from the [Suzy Lamplugh Trust](https://www.suzytrust.org/) and the [Alice Ruggles Trust](https://www.aliceruggles.org/).

Hate crime

Sections 28 to 32 of the [Crime and Disorder Act 1998](https://www.legislation.gov.uk/ukpga/1998/37) provides that, where a series of existing offences – including assault, criminal damage, stalking, harassment and public order offences – are committed, and such an offence (i) was motivated by hostility to race or religion, or (ii) includes a demonstration of hostility towards the victim based on their race or religion, that a separate

racially or religiously aggravated offence is committed attracting a greater penalty. Offences which are racially or religiously aggravated are not time limited.

Under [section 66 of the Sentencing Act 2020](#), where the offence is not covered by the provisions of the [Crime and Disorder Act 1998](#), but was motivated by hostility towards race, religion, disability, sexual orientation, or transgender identity, or there is a demonstration of hostility towards the victim based on any of these characteristics, this hostility must be treated as an aggravating factor at sentence and stated as such in open court.

For further details, see the CPS published guidance:

- [Racist and Religious Hate Crime - Prosecution Guidance | The Crown Prosecution Service \(cps.gov.uk\)](#)
- [Disability Hate Crime and other crimes against disabled people - prosecution guidance | The Crown Prosecution Service \(cps.gov.uk\)](#)
- [Homophobic, Biphobic and Transphobic Hate Crime - Prosecution Guidance | The Crown Prosecution Service \(cps.gov.uk\)](#)

Communications offences

Communications may feature in a variety of different offences including offences against the person, harassment and stalking. There are, however, also offences that can (in themselves) be committed by communicating something by any means, whether electronically (e.g. via social media, email, text) or otherwise.

[Section 1](#) of the Malicious Communications Act 1988 and [section 127](#) of the Communications Act 2003 criminalise the sending of communications alleged to be indecent, obscene, grossly offensive or menacing. “Menacing” means creating a sense of apprehension or fear in the likely recipient. An offence under section 1 of the Malicious Communications Act 1988 is not time limited. Section 127(5) and (7) makes specific provisions for the time limit which applies to this offence.

An offence under section 127 requires the communication to be sent using a public electronic communications network. This encompasses the internet and mobile phone networks widely available to the public, and social media platforms which operate via the internet, e.g. WhatsApp and “X”.

There is a high threshold to meet the objective test of whether a communication is “grossly offensive”. A prosecution is only viable where the communication in question crosses the high threshold necessary to protect freedom of expression, even unwelcome freedom of expression, particularly during robust political debate. Communications which are merely offensive, shocking, rude or disturbing are likely to be protected as freedom of expression.

Criminal offences within the [Online Safety Act 2023](#) came into force on 31 January 2024. The most relevant of which to this pack are:

- [Sending a false communication](#) (section 179): this is committed where a person (without reasonable excuse) sends a message that conveys information that they know to be false and they intended the message (or the information in it) to cause non-trivial psychological or physical harm to a likely audience. There are special provisions for the time limit for this offence in section 179(7) to (9).
- [Sending a threatening communication](#) (section 181): this is committed where a person sends a message that conveys a threat of death or serious harm, and at the time of sending it, the person (i) intended an individual encountering the message to fear that the threat would be carried out (whether or not by the person sending the message), or (ii) was reckless as to whether an individual encountering the message would fear that the threat would be carried out (whether or not by the person sending the message). This offence is not time-limited.

“Serious harm” means grievous bodily harm, rape, assault by penetration within the meaning of section 2 of the Sexual Offences Act 2003, or serious financial loss. “Sending a message” is defined as including not only

communications or things which are sent directly between individuals, but also more generally transmitting communications by electronic means.

For further details, see the CPS published guidance:

- [Communications Offences | The Crown Prosecution Service \(cps.gov.uk\)](https://www.cps.gov.uk/communications-offences)

Making a threat to kill

This is an offence contrary to [section 16 Offences Against the Person Act 1861](#). It is not time limited. The offence requires proof that the suspect intended that the person to whom the threat was made would fear that it would be carried out (whether against that person or another person). In other words, proof of the offence relies on the state of mind of the suspect, rather than the person to whom the threat was made.

For further details, see the CPS published guidance:

- [Offences against the Person, incorporating the Charging Standard | The Crown Prosecution Service \(cps.gov.uk\)](https://www.cps.gov.uk/offences-against-the-person)

Undue influence

It is offence under [s.114A of the Representation of the People Act 1983](#) to engage (alone, with others or on behalf of someone else) in an activity intended to interfere with the free exercise by any person of their right to vote or to induce or compel them to vote in a particular way. It is also an offence to engage in an activity on account of a person having (or on the assumption that they have) voted in a particular way. This provision does not extend to local government elections in Scotland and Wales, for which see section 115 of the same Act. The activities include:

- threatening to or using violence against a person
- threatening to or damaging or destroying a person's property
- threatening to or damaging a person's reputation
- threatening to or causing financial loss to a person
- causing spiritual injury to or placing undue spiritual pressure on a person
- doing any other act designed to intimidate a person

- doing any act designed to deceive a person in relation to the administration of an election.

Additional orders the court can impose

There are a range of orders available to a court on the conviction of a defendant that can be imposed in addition to a sentence. There are also some orders that the court can impose if a defendant is acquitted. It is the duty of the prosecution to apply for appropriate orders or to remind the court of its power to make an order. When considering which orders to apply for, the prosecution will always have regard to the victim, especially the issue of their future protection. Relevant orders may include:

- Compensation Orders
- Criminal Behaviour Orders
- Restraining Orders
- Stalking Prevention Orders.

For further details, see the CPS published guidance:

- [Sentencing - Ancillary Orders | The Crown Prosecution Service \(cps.gov.uk\)](https://www.cps.gov.uk/sentencing-ancillary-orders)
- [Restraining Orders | The Crown Prosecution Service \(cps.gov.uk\)](https://www.cps.gov.uk/restraining-orders)
- [Criminal Behaviour Orders | The Crown Prosecution Service \(cps.gov.uk\)](https://www.cps.gov.uk/criminal-behaviour-orders)

Disqualification orders under the Elections Act 2022

Part 5 of the Elections Act 2022 provides that where an adult is convicted of an offence specified in Schedule 9 of that Act, and the court is satisfied beyond reasonable doubt that the offence was aggravated by hostility related to the status, or perceived status, of the victim being a candidate, elected office holder, or campaigner, it must (unless it considers it unjust in all the circumstances) impose a disqualification order disqualifying the person from standing for election, being elected to, and holding a relevant elected office for a period of five years.

The specified offences include: offences against the person, sexual offences, criminal damage, public order act offences and malicious communications.

This not an order for which prosecutors must apply but rather an order the court must make unless it is unjust in all the circumstances to do so. The disqualification will be imposed upon an offender at the point of sentence and will be in addition to any other punishment imposed.

Your local CPS

CPS Cymru/Wales	
Dyfed Powys Police	Cymru-Wales The Crown Prosecution Service (cps.gov.uk)
Gwent Police	
North Wales Police	
South Wales Police	
CPS East Midlands	
Derbyshire Constabulary	East Midlands The Crown Prosecution Service (cps.gov.uk)
Nottinghamshire Police	
Leicestershire Police	
Lincolnshire Police	
Northamptonshire Police	
CPS East of England	
Cambridgeshire Constabulary	East of England The Crown Prosecution Service (cps.gov.uk)
Essex Police	
Norfolk Constabulary	
Suffolk Constabulary	
CPS London North	
Metropolitan Police	London North The Crown Prosecution Service (cps.gov.uk)
CPS London South	
Metropolitan Police	London South The Crown Prosecution Service (cps.gov.uk)
City of London Police	
CPS Mersey-Cheshire	
Cheshire Constabulary	Mersey Cheshire The Crown Prosecution Service (cps.gov.uk)
Merseyside Police	

CPS North East	
Cleveland Police	North East The Crown Prosecution Service (cps.gov.uk)
Durham Constabulary	
Northumbria Police	
CPS North West	
Cumbria Constabulary	North West The Crown Prosecution Service (cps.gov.uk)
Greater Manchester Police	
Lancashire Constabulary	
CPS South East	
Kent Police	South East The Crown Prosecution Service (cps.gov.uk)
Surrey Police	
Sussex Police	
CPS South West	
Avon and Somerset Police	South West The Crown Prosecution Service (cps.gov.uk)
Devon and Cornwall Police	
Gloucestershire Constabulary	
CPS Thames and Chiltern	
Bedfordshire Police	Thames and Chiltern The Crown Prosecution Service (cps.gov.uk)
Hertfordshire Constabulary	
Thames Valley Police	
CPS Wessex	
Dorset Police	Wessex The Crown Prosecution Service (cps.gov.uk)
Hampshire and Isle of Wight Constabulary	
Wiltshire Constabulary	

CPS West Midlands	
Staffordshire Police	West Midlands The Crown Prosecution Service (cps.gov.uk)
Warwickshire Police	
West Mercia Constabulary	
West Midlands Police	
British Transport Police	
CPS Yorkshire and Humberside	
Humberside Police	Yorkshire and Humberside The Crown Prosecution Service (cps.gov.uk)
North Yorkshire Police	
South Yorkshire Police	
West Yorkshire Police	