

Research shows that stalkers who visit the victim's home, workplace, or other places frequented by the victim more than three times in a week are those who are most likely to attack.

Stalkers frequently threaten their victims, either directly or indirectly. **1 in 2 domestic stalkers and 1 in 10 non-intimate stalkers when they make a threat will act on it.** A review of eight studies by Rosenfeld (2004) revealed that the strongest predictors of stalker violence were threats to the victim. Threats have been found to be even stronger predictors in cases of very serious violence.

On average 21 people connected to the victim will be contacted by the stalker, therefore secondary victims will be identified. Stalkers will involve third parties for a number of reasons including to upset the victim, obtain information, remove perceived obstacles and/or punish those perceived as helping or shielding the victim.

The ability of a stalker to pose as another person, both on and off-line should never be underestimated. Paladin finds that in many cases stalkers will set up fake social networking and online accounts. When sexual abuse imagery is identified, professional curiosity should dictate further investigation into whether stalking is also present.

**Direct Behaviours** may include calls, texts, letters, e-mails, following, waiting for, turning up, approaching, accosting, sending or leaving unsolicited materials/gifts, messages on social networking sites, threats and/or violence.

**Indirect Behaviours** may include graffiti, cancelling/ordering goods, making/getting others to make vexatious complaints, inserting in relationships, contacting others, entering victims workplace or home, cyberstalking, threats, property/vehicle damage, leaving dead animals and violence.

### Stalking and mental illness

Currently stalkers do not routinely get assessed once they come into contact with the criminal justice system. If there is no appropriate mental health intervention the management of their behaviours cannot begin which is detrimental, costly and dangerous to those that they stalk, as well as to themselves.

Mental illness is not a defence under Protection from Harassment Act 1997.

### Useful Contacts and Organisations

Each police service in England and Wales now has a single point of contact (SPOC) for stalking cases. Find out who yours is and contact them.

Please refer/signpost victims to Paladin and contact us if we can help you with a case. We can also help with training, policy and practice. There's lots of information on our website.

You can also refer to College of Policing and CPS guidance.

**Paladin**  
[www.paladinservice.co.uk](http://www.paladinservice.co.uk)  
College of Policing Authorised Professional Practice  
[www.app.college.police.uk](http://www.app.college.police.uk)  
CPS Guidance  
[www.cps.gov.uk](http://www.cps.gov.uk)  
CPS Guidance on Cases involving Social Media  
[www.cps.gov.uk/legal/a\\_to\\_c/communications\\_sent\\_via\\_social\\_media/](http://www.cps.gov.uk/legal/a_to_c/communications_sent_via_social_media/)

### If you or the victim require further practical advice contact:

#### Paladin National Stalking Advocacy Service

(T): 0203 866 4107  
(E): [info@paladinservice](mailto:info@paladinservice)  
(W): [www.paladinservice.co.uk](http://www.paladinservice.co.uk)  
 [@paladinservice](https://twitter.com/paladinservice)



### STALKING ADVICE LEAFLET FOR POLICE

Stalking became a criminal offence on November 25th 2012 following our successful campaign. It is different from harassment - it involves fixated and obsessive behaviour. It includes repeated attempts to impose unwanted communications and/or contacts on another in a manner that could be expected to cause distress and/or fear in any reasonable person.

**Stalking was present in 94% of 358 cases of homicides assessed by Gloucestershire University, 2017.**

#### Legislation:

Under the Protection from Harassment Act 1997, when a course of conduct amounting to stalking is identified use:

**Section 2A Offence** – Stalking.

**Section 4A Offence** – Stalking involving fear of violence or serious alarm or distress.

**Course of conduct** = Section 7 defines a course of conduct as being on at least two occasions.

**Taken in isolation, behaviours might seem unremarkable.  
With repetition they take on a more sinister meaning.**

#### Paladin's working definition of stalking:

'A pattern of unwanted, fixated and obsessive behaviour which is intrusive and causes fear of violence or serious alarm or distress'.

## GUIDANCE: DO

- Refer the victim to Paladin with consent.
- Ensure a thorough investigation and collect ALL available evidence.
- Record the "substantial adverse effect on ... usual day-to-day activities" in the witness statement – this is evidence.
- Interview the victim on first report take a VPS/VIS at the earliest opportunity.
- Record the extent of the victim's perception of risk of harm.
- Take ALL threats to kill seriously.
- Build a profile of the suspect. Check for any relevant history, other names/aliases, bail conditions, cautions, restraining orders, injunctions, court orders, or Police Information Notices (PIN).
- Submit crime and intelligence reports, follow up all requests for changes in bail conditions/restraining orders.
- Ask 12 stalking screening questions and refer it on for action. DASH risk assessment if DV.
- Seek early case consultation with CPS and ensure as much information is available so they can make an informed decision - including the risk assessment.
- Notify the CPS immediately on MG6 if a restraining order is necessary. Ensure the conditions are clear and unambiguous and consider all means of contact and communication are covered, including the internet. Do not list new addresses.
- Record details of any restraining order on PND and local police intelligence databases without delay. Ensure the victim and other agencies such as the CPS have a copy.
- Consider if Early Harassment Notices are appropriate. With fixated behavior orders rarely work. If course of conduct, arrest for stalking.
- Ensure the victim is part of the risk management plan. Advise they keep a diary of all stalking incidents, retain all messages, gifts, etc.
- Seek specialist advice from your force Single Point of Contact or other units if required i.e. the Public Protection Unit.

## DO NOT

- Do not send the victim away believing that it is not a police matter.
- Do not ask the victim 'what do you want us to do?'
- Do not think it any less serious if there has been no physical violence.
- Do not suggest that the victim talk/meet with the stalker to resolve issues.
- Do not tell the victim to change their phone number. This will not stop the behaviour. They will find other means of contact.

## Risk Considerations

Any investigation must consider the risks of serious harm posed by the stalker. The context and detail of the behaviours are crucial to this. **Research shows that those who are at highest risk of assault are ex-intimates who have been threatened, where the stalking has continued for more than two weeks.** Use the full DASH assessment in ex-intimate cases AND the 12 questions below to indicate the risk of future psychological and physical harm. Always use these 12 questions with non-intimate cases.

1. Is the victim very frightened?
2. Is there previous domestic abuse or stalking/harassment history?
3. Has ( X name of stalker) vandalised or destroyed property?
4. Have they turned up unannounced more than three times a week?
5. Has (X) followed the victim or loitered near their home or workplace?
6. Has (X) made threats of physical or sexual violence? Have they stalked any third party since the stalking/harassment began?
7. Has (X) acted violently to anyone else during the stalking incident?
8. Has (X) engaged other people to help him/her?
9. Has (X) had problems in the past year with drugs (prescription or other), alcohol or mental health leading to problems in leading a normal life?
10. Have they threatened or attempted suicide? Do they have nothing to lose? Consider finality
11. Have they ever been in trouble with the police or do they have a criminal history?
- 12.

Failure to deal with stalking, whether by effective investigation, the arrest of the suspect or other police action as appropriate to the circumstance leaves the victim and others at risk.

All concerns regarding risk must be considered, this is particularly relevant where a conviction cannot be obtained. Where an investigation is concluded and concerns exist about the risk of the suspect, they must be considered as a 'Potentially Dangerous Person' (PDP) and referrals made to risk management processes such as MAPPA (PDP) and MARAC (victim).

## What do we know about stalking?

According to the Crime Survey of England and Wales (2011/2) 1 in 5 women and 1 in 10 men experienced stalking. We also know from research that:

- On average victims will suffer 100 times before they report it.
- Many victims will experience multiple, repeated stalking behaviours before they report to police.
- The majority of stalkers are known to their victims either as ex-partners or acquaintances, but some people are stalked by someone they do not know.
- Around 80% of stalkers are male. However stalkers and their victims can be any gender.
- Stalkers come from all backgrounds and do not form one 'type'. Stalkers are not homogenous and the motivation for stalking can vary.
- Understanding the motivation is important when assessing the risks the stalker may pose.
- Stalking is life changing. It is frequently injurious to victims' psychological, physical and social functioning, irrespective of whether they are physically assaulted.

Many stalkers will devote hours each day to their stalking campaign and are capable of stalking their victims for many years. Stalking rarely takes place at a distance.