



PRESS RELEASE

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Stalking Victims Still Let Down by Major Failings in the Criminal Justice System

In a briefing published today by Paladin, the National Stalking Advocacy Service, it is revealed that victims of stalking still receive an inadequate response from professionals in the Criminal Justice System despite the existence of new specific laws. There are systemic failings across England and Wales leaving victims vulnerable.

New stalking laws were introduced on 25th November 2012 following a highly successful Parliamentary Campaign initiated by Laura Richards, a Criminal Behavioural Analyst, and Harry Fletcher, a Probation Trade Union Official. They established a unique All Party Parliamentary enquiry chaired by Elfyn Llywd MP.

The campaigners then raised funds and launched Britain's first ever advocacy service for stalking victims. The service opened on 11th July 2013 and within eighteen weeks had received over 100 referrals.

Overall, the experience of victims has been both disappointing and unsatisfactory. An analysis of cases shows that the Crown Prosecution Service frequently charging harassment and not stalking when they are failing to take into account the obsessive and fixated behaviour. This is being missed. In some cases, matters are discontinued or plea bargained out which results in less serious charges and therefore, more lenient sentences are handed down to offenders. The cases show that as a consequence minimal sentences are passed and victims feel disappointed and unprotected. Sadly too many victims have already paid with their lives including Caroline Parry, stalked and shot dead by ex-partner in Gwent in August 2013, Eystna Blunnie and her unborn child stalked and murdered by her ex-partner in June 2012, Christine and two year old daughter, Shania Chambers stalked and shot dead by her ex-partner in Essex in 2011 and pregnant Rachael Slack and twenty four month old son Auden stalked and murdered by her ex-partner in Derbyshire in 2010.

Sentencing by the courts in stalking cases is inconsistent, custody is rare, suspended custodial sentences common and sometimes community sentences are given and the stalking behaviour continues. Furthermore, there is no treatment for the offenders available. Stalking has yet to be included in the stalking guidelines. The cases reveal time and time again that bail conditions and restraining orders are inadequate, do not protect victims and are frequently breached.

Victims repeatedly say that police officers do not understand stalking and are not aware of the new laws and as such, are reluctant to intervene. Many are asked routinely “What do you want me to do?” or “Do you want us to arrest them or give them a warning?” This is inappropriate and professionals would not ask this of victims of other crimes.

Police Information Notices, often wrongly referred to as ‘Harassment Warnings’, are being handed out as a matter of course in stalking cases to victims and the alleged perpetrator alike, showing a failure by the police to properly investigate the allegations.

The police have begun training but still less than 30% of police officers have seen the e-learning packages. The number of arrests in the first six months was just 320. This is a stark contrast to Scotland. In the thirty months since their law was introduced Scotland had 1431 detections recorded and of those, 1046 had commenced prosecution. Of these 1046, there were 450 convictions and 315 still await prosecution. This suggests that that figures for England and Wales is well below expectations.

Paladin believes that the victim’s negative experiences are all manifestations of the failure to properly train professionals. The CPS prosecutors have been issued with cyber guidance but stalking law training has barely commenced.

Across the whole of the Criminal Justice System, there is evidence that the new laws are not being consistently applied or understood. There is an urgent need for mandatory training of all criminal justice professionals; risk assessments for victims, a register for stalkers and the introduction of treatment programmes for stalking perpetrators.

Director of Paladin, Harry Fletcher, said “The campaign for the new stalking law was an outstanding achievement and the need for advocacy is overwhelming. There is, however, sadly still a systemic failure in the justice system and victims are left vulnerable.”

Laura Richards, Director of Paladin, said “Stalkers steal and take lives. It is about fixation and obsession. I have profiled many cases that end in murder. This is about homicide prevention. It is vital professionals, including the Police and CPS, understand the online and offline risks and how to collect evidence when technology is used. One year on and we have a new law and an excellent advocacy service for victims but little else has changed. ”

Note to Editor:

A. Paladin's Objectives

The objectives of Paladin:

1. Providing strategic advocacy to high risk stalking victims.
2. Providing training to criminal justice professionals.
3. Providing test case advocacy aimed at changing law and practice through the courts.
4. Campaigning based on extrapolating from case work experiences.
5. Providing post-legislative scrutiny
6. Establishing a network of victims who have endured stalking, providing mutual support and empowerment.

B. Stalking, Facts and Figures

- The Crime Survey of England and Wales 2011/2012 suggests that at least 120,000 individuals are affected by stalking and harassment each year; however, only 53,029 cases are recorded as crimes.
- 1 in 5 women and 1 in 10 men will experience stalking in their adult life (Homicides, Firearm offences and intimate violence 2009/10; Supplementary Volume 2 to Crime in England and Wales 2009/10 2nd Edition. Home Office Statistical Bulletin 01/11).
- Victims do not tend to report to the police until the 100th Incident (Sheridan, 2005).
- Statistics show that the majority of victims (80.4%) are female while the majority of perpetrators (70.5%) are male (National Stalking Helpline, 2011).
- The Metropolitan Police Service found that 40% of the victims of domestic homicides had also been stalked (ACPO Homicide Working Group, 2003).
- Research suggests that 1 in 2 domestic violence stalkers who make a threat to kill act on it (MacKenzie, R, McEwan, T, Pathe', M, James, D, Ogloff & J & Mullen, P 2009).
- According to the Victims Voice Survey (Richards, 2011), when victims did contact the police, 65% (of 69%) said that they were not satisfied with police response.
- The most common stalker behaviour was unwanted phone calls, 32.8%, text messages 32.1%, the use of a third party 23.2%, following 23.4%, visiting home or workplace 23%, criminal damage, 6.7%, death threats 5.1%, Physical assault 4.3%. In virtually all cases there was more than one behaviour present.

Ends

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