



Register for Serial Perpetrators of Stalking and Domestic Violence

Overview Briefing

1. Introduction

Currently there is no existing framework which can track or monitor serial stalkers and domestic violence perpetrators. Instead police rely on a series of victims to report multiple crimes and oftentimes it is the victims who are forced to modify and change their behaviour, flee their homes and disappear themselves in order to stay safe.

This is about homicide prevention. Stalking is about fixation and obsession and some of the most serious cases end in rape and murder. We find that many stalkers stalk multiple victims and may escalate their behaviour. Stalkers steal lives and take lives. In offending terms they are more akin to sex offenders. We have compared all civil and criminal protective orders available and none of them impose a positive obligation on a perpetrator to attend treatment programs or notify police when they change their name, move to a different area, travel abroad or form new relationships. It is vital their offending history follows *them* to ensure protection to victims. Many dangerous serial perpetrators continue to remain unsupervised and unmonitored.

The introduction of a register for serial stalkers and domestic violence perpetrators is long overdue. These are some of the most dangerous of cases and yet no priority is afforded to them. Notification requirements and prohibitions placed would be akin to that of a Registered Sex Offender. This would allow for a proactive policing approach which is necessary to keep potential victims protected.

Currently the law relies on victims to report individual crimes, but there is no way for the police to 'flag and tag' perpetrators. Paladin works on all types of stalking cases and the introduction of a register for serial stalkers, similar to the Sex Offenders Register, would create a cultural shift in the way these offences are dealt with, by putting the focus on the stalkers' behaviour. Breaching the requirements, once on the register, would become a criminal offence resulting in up to 5 years in prison.

Offenders would be placed on VISOR – the Violent and Sexual Offenders Register - and similar to sex offenders be subjected to robust and proactive supervision, monitoring and management through Multi-Agency Public Protection Arrangements (MAPPA). Registration and tracking will also inform and facilitate the Domestic Violence Disclosure Scheme (DVDS), helping to identify patterns of serial abuse and offending behaviour and coercive control. This would shift the emphasis away from victims and on to the perpetrators.

Clare's Law – the Domestic Violence Disclosure Scheme – allows women to find out if their partners have an abusive past. The introduction of Clare's Law earlier this year was welcomed by Paladin, but it

Directors: Laura Richards, Allison Mann, Rachel Horman & Allan Aubeelack

Paladin – National Stalking Advocacy Services CIC

16-20 Bush House, Bush Fair, Harlow, Essex CM18 6NS

Company Number: 8361675



Violent Offender Order (VOO) and Sexual Offences Prevention Order (SOPO)¹; following a conviction, and on application by the Crown in certain circumstances a suspected serial perpetrator will be required to register relevant addresses, changes of identify and this will also allow the Disclosure Scheme to be implemented and managed effectively.

Circumstances in which the Crown would make an application to the convicting or sentencing court – as a result of convictions or allegations made by other, unconnected female victims, whether leading to a prosecution or not – the convicting or sentencing court adjudges that the offender is a serial perpetrator and should be subject to a regime akin to that of a sexual offender. Even now with the Domestic Violence Disclosure Scheme², although this will assist the process of identifying such individuals *after* they have come to attention in respect of a further crime or incident, but will not permit the proactive approach necessary to keep *potential* victims informed and safer. This would then satisfy all three objectives outlined above.

The Risk of Harm Order (RHO) would be akin to Risk of Sexual Harm Order³ for sex offenders. This order could be made against persons who have not been convicted but who have engaged in certain specified types of behaviour **on at least two occasions**. A RHO does not place the subject under the notification requirements – but breach of the order is a criminal offence and if convicted or cautioned for this offence then the person will then become subject to the notification requirements for the rest of the duration of the order.

Currently measures are in place to monitor sexual offenders in the form of the Violent and Sexual Offenders Register (ViSOR) and this would be the appropriate database for serial stalkers and domestic violence perpetrators in the UK

2.2 Europe

Perpetrators travel and orders and their offending history should travel with them. Marc Chivers murdered his partner, Sabine Rappold, in Germany and was released after serving 15 years. He travelled to the UK and formed a relationship with Maria Stubbings, whom he sexually assaulted, abused, stalked and murdered her in 2008. His history was known but little was done to supervise and manage him⁴. Current orders, offending histories, behaviours and restrictions should follow with perpetrators when

¹ SOPOs will be replaced by a Sexual Harm Prevention Order in November 2014, as amended by the Anti-Social Behaviour, Crime and Policing Act 2014

² Domestic Violence Disclosure Scheme (DVDs) Pilot Assessments

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/260894/DVDS_assessment_report.pdf

³ Sexual Risk Order will replace the Risk of Sexual Harm Order in November 2014, as amended by the Anti-Social Behaviour, Crime and Policing Act 2014

⁴ In November 2014 the use of VOOs will be extended to include the use of preventative Violent Offender Orders to offenders convicted of murder abroad, as amended by the Anti-Social Behaviour, Crime and Policing Act 2014

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