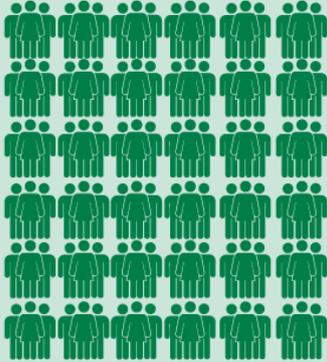


**1.5 MILLION
CASES OF STALKING**



**32,217
REPORTS**
2.15%



**3,506
CHARGES**
0.23%



**2,727
PROSECUTIONS**
0.18%



**1,558
CONVICTIONS**
0.10%



BETWEEN APRIL 2019 AND MARCH 2020 IN ENGLAND & WALES

CAMPAIGN. EDUCATE. SUPPORT.

suzy lamplugh
trust

**LIVE
LIFE
SAFE**

Stalking Behaviour	Percentage of clients reporting	Stalking Behaviour	Percentage of clients reporting
Social Networking sites	32.63%	Harassment	8.54%
Text messages	29.18%	Letters	8.54%
Phone calls	27.06%	Gifts	6.05%
Visit house/work	24.09%	Physical assault	4.36%
Third party contact	22.40%	Criminal damage	4.12%
Emails	20.28%	Death threats	3.45%
Threats	18.04%	Hacking technology	3.33%
In/Through workplace	11.38%	Threaten suicide	2.97%
Following	15.07%	Spying	2.60%
Loitering	9.14%	Break in	2.12%
Other	9.14%	Revenge Porn	2.00%
Vexatious complaints	8.78%	Use of tracking device	1.15%
Watching	8.66%	Sexual assault	0.85%

The impact of stalking



What does the law say about stalking?

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not enough
just

The Protection from Harassment Act 1997 (PHA) section 2

Harassment:

- a course of conduct
- which amounts to harassment of another; and
- which the defendant knows or ought to know amounts to harassment of another

The Protection from Harassment Act 1997 (PHA) section 2A

Stalking:

- a course of conduct which amounts to harassment of another; and
- **the course of conduct amounts to stalking; and**
- which the defendant knows or ought to know amounts to harassment of another

What does the law say about stalking?

LIVE
LIFE
SAFE
not enough
just

The Protection from Harassment Act 1997 (PHA) section 4

Harassment:

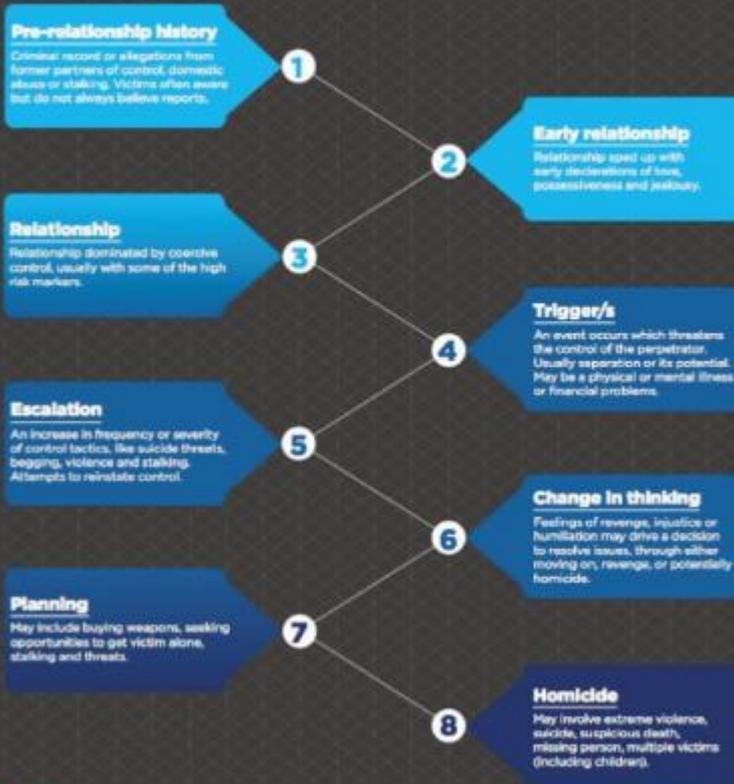
- a course of conduct
- which causes another to fear that violence will be used against him; and
- which the defendant knows or ought to know will cause another to fear that violence will be used against them

The Protection from Harassment Act 1997 (PHA) section 4A

Stalking:

- a course of conduct; which amounts to stalking; and
- which causes another to fear, on at least two occasions, that violence will be used against him or her, **OR**
- **causes another serious alarm or distress which has a substantial adverse effect on his or her usual day-to-day activities**

HOMICIDE TIMELINE



For more information about the timeline please contact Dr Jane Monckton Smith:

T: 07525 132292 E: jmoncktonsmith@glos.ac.uk

If you feel like your life is in danger please contact the police by dialling 999.

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Stalking

In cases of stalking there is a pattern of unwanted, fixated and obsessive behaviour which is intrusive. It can include harassment that amounts to stalking or stalking that causes fear of violence or serious alarm or distress.

Consider the stalking mnemonic **FOUR**

Are the behaviours:

- ▷ **F**ixated
- ▷ **O**bsessive
- ▷ **U**nwanted
- ▷ **R**epeated

Deal with breaches of orders robustly and establish whether a further course of conduct exists.

Do not assume that stalking cases are less serious because there has been no physical violence, threats to harm are often carried out.

On average victims will suffer **100 incidents** before they report it.

Stalking was present in **94%** of **358 cases** of homicide of women by men.

Key messages:

- Focus on risk first – your primary task is to make people safe. Risk is dynamic and needs continual reassessment.
- Investigate fully – make sure you understand the full history and any escalation.
- Listen to the victim, particularly their view about changing risk.
- The motivation of the suspect and the context and effect of the behaviour on the victim are important factors to understanding and helping with your decision making.

Technology is often used as part of the stalking behaviour.

Do NOT advise victims to close their social media accounts, block suspect on phone and social media accounts, change their mobile number, or avoid using email or the internet. Do not assume it is less serious because there is no physical violence.

Do advise:

- Use of antivirus software.
- Not to open apps, attachments, programmes, etc. from untrusted or unknown sources.
- Use random passwords.
- Tighten privacy settings/location services.
- Keep personal information safe.
- This list is not exhaustive, refer to specialist online services eg www.getsafeonline.org

Victims Code

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Code of Practice for
Victims of Crime in
England and Wales

November 2020



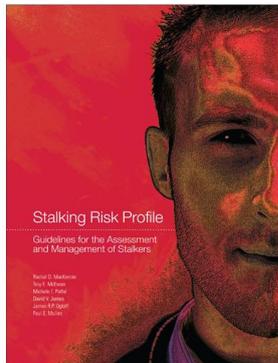
Code of Practice for
Victims of Crime

October 2015

The **Victims' Code**



[MoJ Victims Code 2020 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)



The Rejected stalker (to expand)

Rejected stalking arises in the context of the breakdown of a close relationship. Victims are usually former sexual intimates; however family members, close friends, or others with a very close relationship to the stalker can also become targets of Rejected stalking. The initial motivation of a Rejected stalker is either attempting to reconcile the relationship, or to exacting revenge for a perceived rejection. In many cases Rejected stalkers present as ambivalent about the victim and sometimes appear to want the relationship back, while at other times they are clearly angry and want revenge on the victim. In some cases of protracted stalking, the behaviour is maintained because becomes a substitute for the past relationship as it allows the stalker to continue to feel close to the victim. In other cases the behaviour is maintained because it allows the stalker to salvage their damaged self-esteem and feel better about themselves.

The Resentful stalker

Resentful stalking arises when the stalker feels as though they have been mistreated or that they are the victim of some form of injustice or humiliation. Victims are strangers or acquaintances who are seen to have mistreated the stalker. Resentful stalking can arise out of a severe mental illness when the perpetrator develops paranoid beliefs about the victim and uses stalking as a way of 'getting back' at the victim. The initial motivation for stalking is the desire for revenge or to 'even the score' and the stalking is maintained by the sense of power and control that the stalker derives from inducing fear in the victim. Often Resentful stalkers present themselves as a victim who is justified in using stalking to fight back against an oppressing person or organisation.

The Intimacy Seeking stalker

Intimacy Seeking stalking arises out of a context of loneliness and a lack of a close confidante. Victims are usually strangers or acquaintances who become the target of the stalker's desire for a relationship. Frequently Intimacy Seeking stalkers' behaviour is fuelled by a severe mental illness involving delusional beliefs about the victim, such as the belief that they are already in a relationship, even though none exists (erotomantic delusions). The initial motivation is to establish an emotional connection and an intimate relationship. The

stalking is maintained by the gratification that comes from the belief that they are closely linked to another person.

The Incompetent Suitor

The Incompetent Suitor stalks in the context of loneliness or lust and targets strangers or acquaintances. Unlike the Intimacy Seeker, however, their initial motivation is not to establish a loving relationship, but to get a date or a short term sexual relationship. Incompetent Suitors usually stalk for brief periods, but when they do persist their behaviour is usually maintained by the fact that they are blind or indifferent to the distress of victim. Sometimes this insensitivity is associated with cognitive limitations or poor social skills consequent to autism spectrum disorders or intellectual disability.

The Predatory stalker

Predatory stalking arises in the context of deviant sexual practices and interests. Perpetrators are usually male and victims are usually female strangers in whom the stalker develops a sexual interest. The stalking behaviour is usually initiated as a way of obtaining sexual gratification (e.g., voyeurism targeting a single victim over time), but can also be used a way of obtaining information about the victim as a precursor to a sexual assault. In this sense the stalking is both instrumental and also gratifying for those stalkers who enjoy the sense of power and control that comes from targeting the usually unsuspecting victim.

[Types of Stalking | Stalking Risk Profile](#)

Tell them to change their phone number, move address This will not stop the behaviour – they will find another means of contact.

Mediate or suggest that the victim talk/meet with the stalker to resolve issues.

Tell them to ignore or delete messages/e-mails.

Think it any less serious if there has been no physical violence.

Send the person away believing that it is not serious or say that they are 'lucky' to receive this level of attention.

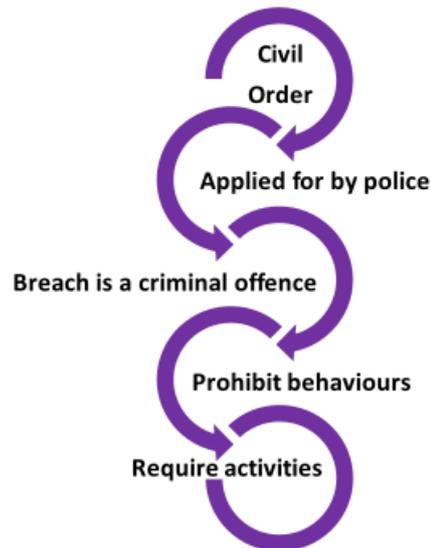




Am I being stalked? | Suzy Lamplugh Trust

What are SPOs?

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100% length of time



Circumstances for a SPO

- The respondent has engaged in acts of stalking against the victim
- The respondent poses a risk due to their stalking to that victim or any other person
 - This can be of physical or psychological harm, or damage to property
- An order is required to protect the victim or any other person from this risk of harm

Note that the harm does not necessarily have to be against the primary victim of stalking – in cases where you may be able to argue that the primary victim isn't at risk of harm an order could still be applied for to protect others.

For example, in cases of an intimacy seeking stalker they may pose a greater risk to those who they perceive as being "in the way" of their relationship with their victim – such as the victim's partner or family, in which case an SPO can provide protection for those individuals as well as the primary victim.

Example Prohibited behaviours

Forbidding the respondent from:

- entering certain locations / areas
- contacting the victim by any means
- contacting or interacting with the victim via third parties – such as work, friends, or family
- making reference to the victim on social media directly or indirectly
- making vexatious applications to the civil court
- recording images of the victim
- using any device capable of accessing the internet unless it has the capacity to retain and display the history of internet use
- physically approaching the victim
- engaging in any form of surveillance of the victim by any means

(this list is not exhaustive)

It is essential that every order is tailored precisely to the individual situation, taking into account the typology and motivations of the stalker, the behaviours they engage in, the specific risks posed, the views of the victim, and the views of other professionals including specialists.

For example – physical prohibitions can be too precise allowing stalkers to still engage in stalking behaviour without breaching, such as not being allowed within 100m of their victim's home may lead to them standing 101m away; however a designated distance *plus* a clause about engaging in watching / loitering behaviour could ensure this cannot go unchallenged.

Example required activities

Requiring the respondent to:

- attend an assessment for or attend an intervention programme
- attend assessment or treatment for mental health issues or drug & alcohol misuse
- surrender devices
- provide the police with access to social media accounts, mobile phones, computers, tablets and passwords/codes
- sign on at a police station

(this list is not exhaustive)

It is with these activities that it is particularly essential for the police to liaise with local specialist services – there is no point legally compelling a stalker to take part in (for example) a perpetrator intervention programme if none exists locally, they would be unsuitable, or the waiting list is so long it would outlast the life of the order.

Similarly this must be linked to their stalking behaviour as this could be challenged in court – for example, if the stalker often attempts to contact the victim when they've been drinking, or there is other evidence that alcohol use is problematic and impacting their stalking behaviour, then it may be appropriate to require them to attend an alcohol programme (if such a programme exists, they are suitable etc)

Current guidance is that that burden of proof is the criminal one – i.e. this should be beyond reasonable doubt.

Further reading:

- College of Policing resources on SPOs:

<https://www.app.college.police.uk/app-content/major-investigation-and-public-protection/stalking-or-harassment>

- CPS resources on stalking & harassment:

<https://www.cps.gov.uk/legal-guidance/stalking-and-harassment>

- Stalking Protection Act, 2019 (full legislation):

<http://www.legislation.gov.uk/ukpga/2019/9/crossheading/stalking-protection-orders/enacted>

For more information...

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