



Stalking or harassment

May 2019

Advice to police responders to ensure an effective response to reports of stalking or harassment



Advice to contact management call takers to ensure an effective response to reports of stalking or harassment



Annex A
Stalking screening questions





Advice to police responders to ensure an effective response to reports of stalking or harassment

Key points

- 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.
- Stalking behaviours suggest greater risk of harm and require greater consideration of risk management. **Consider if this case meets the description of stalking:**
 - stalking will often focus on a person, whereas harassment will often focus on disputes
 - is there evidence to suggest if the problem was resolved, the behaviour will stop?
 - consider the stalking mnemonic **FOUR**. Are the behaviours: **F**ixated, **O**bsessive, **U**nwanted, **R**epeated.
- Once the nature of the incident(s)/crime(s) are understood, determine what measures are required to manage the risk of harm.

Purpose of this document

Identifying from the outset whether a case is stalking or harassment ensures the appropriate safeguards can be implemented. While both offences can be distressing, stalking, in particular, can have a profound effect on victims both psychologically and emotionally, and could lead to serious harm. A recent study showed that stalking behaviours were found to be present in the lead up to 94 per cent of 358 homicides reviewed.¹

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.

Harassment is described as unreasonable and oppressive behaviour that is repeated and may cause alarm or distress or fear of violence in the victim.

The **legal descriptions** for these offences in law are similar.

The following advice is to:

- Help you differentiate between stalking and harassment to ensure an effective response.
- Provide advice on safeguarding tactics.

First point of contact

Call handlers or front counter staff are likely to be the first investigator and their primary task is to make people safe. The First Point of Contact Guide may be helpful in managing these types of reports.

¹ Monckton-Smith J, Szymanska, K and Haile S (2017) Exploring the Relationship between Stalking and Homicide

Stalking or harassment – how to decide

Stalking	Harassment
<p>Suspect considerations</p> <ul style="list-style-type: none"> ■ Consider the stalking mnemonic FOUR. Are the behaviours: Fixated, Obsessive, Unwanted, Repeated? ■ Has the suspect changed their routines to facilitate their stalking? ■ Are they preoccupied with the victim in their thoughts and actions? ■ Is the amount of time/effort/resources the suspect is investing consuming their daily life? ■ Is there a range of behaviours targeted at the victim? ■ Does the suspect seem unlikely to stop the behaviours? ■ Does the suspect appear to have a strong sense of entitlement/determination? ■ The suspect is not concerned about the distress their behaviour is causing. <p>Victim considerations</p> <ul style="list-style-type: none"> ■ Does the victim feel physically/emotionally and/or psychologically affected by the behaviour? ■ Does the victim have a persistent fear of what might happen? ■ Is the behaviour intruding on the victim's life? ■ Has the behaviour had a serious effect on the day-to-day activities of the victim? 	<p>Suspect considerations</p> <ul style="list-style-type: none"> ■ Is there evidence of repeated behaviour that is unreasonable but not fixated on the victim? ■ Is the suspect's behaviour, although repeated, not consuming their daily life? ■ Is the behaviour generally focused on addressing a dispute (financial, neighbour, employment, etc) rather than targeted at an individual? ■ Would the suspect's behaviour likely continue if the underlying problem continued but the individual concerned was different? ■ Is there evidence that this behaviour will stop should the underlying problem be resolved? <p>Victim considerations</p> <ul style="list-style-type: none"> ■ Does the victim feel oppressed but not seriously alarmed or distressed by the behaviour? ■ Is the victim fearful about certain acts but not in a constant state of fear?

What initial action should I take?

- **Early identification and intervention** are crucial. This is to prevent escalation in frequency and severity.
- **Use professional curiosity** and conduct a thorough initial investigation to determine the risk of harm to the victim and what offence is most likely to have been committed.
- **Understand the wider behaviour.** Do not just focus on the single incident being reported, understand what has gone on before, including:
 - similar behaviour towards other individuals, such as family members
 - the suspect’s offending history and any wider offending
 - any escalation in the suspect’s behaviour
 - checking force and national intelligence and information databases to investigate their background, eg, Police National Database (PND), Police National Computer (PNC), Violent and Sex Offender Register.
- **Gather appropriate evidence.** The National Police Chiefs’ Council (NPCC)/Crown Prosecution Service (CPS) **evidence checklist** (for use in all non-domestic abuse cases) will help you to identify and gather the evidence to support the prosecution of the appropriate offence.
- **Consider the power of search. Section 2B of the Protection from Harassment Act 1997** provides a power of entry and search relating to stalking. A warrant from a magistrate is required to use this power’.
- **Conduct a risk assessment.** There are some general risk indicators to look for when identifying stalking risk. This is explained further within the screening tool in **Annex A**.
- **Body worn video usage.** This is highly recommended for early evidence gathering opportunities as it may capture the victim’s demeanour to show the impact of the behaviour on them. The victim’s consent will be required.
- **Check wider sources of information.** Some behaviours and activities will be obvious, others will be subtle and seem harmless. The victim is highly unlikely to be the sole source of information, so other sources (ie friends, family, social networking) should be taken into account to inform the understanding of the course of conduct, the suspect’s motivation and context of the behaviour.
- **Consider mental ill health.** Is the suspect mentally unwell and does that affect their behaviour? If so, in what way? This should not hinder the investigation, and will inform risk management and the decision-making process concerning the suspect.
- **Safeguard the victim.** In all cases, take positive action to keep victims safe and hold suspects to account through the criminal justice system where appropriate.
- **Consider eligibility for enhanced service.** Victims who are persistently targeted over a period of time, particularly if they are a victim of a sustained campaign of harassment or stalking, will be entitled to an enhanced service under the **Victims Code of Practice**. This includes:
 - a needs assessment for support
 - referral to specialist support with consent
 - special measures consideration
 - a victim personal statement made at any time.

This is in addition to standard entitlements under the Code.
- **CPS/NPCC protocol** sets out the appropriate handling of stalking or harassment offences to inform further investigation.
- **Police Information Notices (PINs) will no longer be used in stalking or harassment cases.** Officers may encounter scenarios in which a full and thorough investigation into an alleged offence identifies no course of conduct (eg where there is clear evidence presented that this is a single act and a course of conduct of two or more occasions is not made out). It may be appropriate in those rare circumstances to advise a person that their behaviour is unwanted and should cease with immediate effect.

It is important that any such instance is appropriately recorded on a force record management system as an intelligence report, so that relevant information can be made available to the PND.

Preventing further offending and harm

- The safeguarding response should be proportionate and equal to the harassment/stalking behaviours or risk posed.
- Officers should be mindful that any activity to effectively manage risk of an incident may be a trigger which causes further destabilisation for the suspect or an escalation in harmful behaviour.
- Look for where the perpetrator has opportunities to stalk or harass the victim and put preventative measures into action.
- Officers should not make judgements about victims who do not follow safety advice. Victim responses and behaviours can vary according to the victim's circumstances. The victim is not being 'uncooperative' but behaving in a way which they believe will keep them safe.
- Officers should discuss and develop an appropriate risk management plan with the victim.
- Any activity to mediate between parties needs careful consideration and may be wholly inappropriate.
- Ensure any safeguarding activity does not further isolate the victim.
- **A problem-solving approach** may be useful in some cases of harassment, for example boundary disputes, employer/employee disputes, landlord/tenant disputes. However, cases of harassment may potentially escalate and officers should consider the necessity for further risk assessment should the behaviour continue.

Potential safe-guarding tactics

Officers could consider:

- Arrest and remand in custody or appropriate bail conditions.
- Emergency mobile phone (TecSOS, etc).
- Neighbourhood or cocoon watch.
- Alerting friends, family or employers to risks.
- Panic alarm.
- Use of covert cameras.
- Address flagging on call handling systems and the PNC.
- If it is necessary to seize a victim's mobile phone to gather evidence, consideration should be given to providing them with a replacement.

Officers could consider referral for secondary investigation or multi-agency support:

- Information exchange with relevant partners eg, children's social care, adult safeguarding, offender management.
- Use of protection orders eg, non-molestation orders, restraining orders, sexual risk orders, anti-social behaviour injunctions, domestic violence prevention orders, etc.
- Referral for support to Independent Stalking Advocacy Caseworkers (ISAC), Independent Domestic Violence Advisors (IDVA) or other appropriate services.
- MARAC (domestic abuse cases) or other multi-agency risk management panel referral.
- Signpost to specialist support services.

Advice officers could give to the victim to consider:

- Alerting friends, family or employers to risks.
- Use of a personal attack alarm.
- Use of CCTV equipment.
- Changing times/routes to work, social or education centres.

The Public Protection Tactical Menu of Options

outlines the tools available to you to prevent offending and keep victims safe.

Online stalking or harassment

It is highly likely that there will be online behaviours connected to the stalking or harassment, for example hacking into a victim's social media, email or other online accounts, placing tracking or monitoring software onto cars, phones or other devices, etc.

Digital safety advice for victims might include:

- Check for spyware, malware apps or tracking devices.
- Provide the victim with a digital safety advice hand-out and link to Get Safe Online.
- Ensure or adjust privacy settings.
- Remove geotagging facilities and ask friends not to tag them on social media.
- Keep shared information safe. Do not reveal addresses, phone numbers and ask friends to do the same.
- Create an alias ID and only allow contact from known friends and numbers.
- Create random passwords.
- Do not reveal personal information you do not want the suspect to know eg, new relationship, job, etc.
- Avoid discussing the suspect online or with anyone who might pass on information.

Officers should be mindful not to advise:

- Victim to come off social networking sites or block the suspect or any associates.
- Victim to change their mobile phone number.
- Any action that may further isolate the victim.
- Any action that might make the victim feel they are to blame.

Crime recording considerations

STALKING (CLASSIFICATION 8Q), HARASSMENT (CLASSIFICATION 8L)

CONTROLLING AND COERCIVE BEHAVIOUR (CLASSIFICATION 105A – 8/67)

- Where there is a course of conduct amounting to either stalking or harassment or controlling and coercive behaviour the relevant course of conduct crime (stalking or harassment or controlling and coercive behaviour) should be recorded in addition to the most serious additional notifiable crime reported at the same time (per victim-offender relationship).
- Where there is a course of conduct that involves a combination of 8Q, 8L or 105A 8/67 offences between the same victim and offender then only the most serious offence needs to be recorded.
- For advice or guidance in relation to the recording of stalking or harassment offences you should contact your own force crime registrar.



Advice to contact management call takers to ensure an effective response to reports of stalking or harassment

- Focus on risk first. Your primary task is to make people safe, so give **appropriate advice**.
- Use professional curiosity. Make sure you gather the relevant history and context of the suspect's behaviour over time, rather than considering incidents in isolation, and identify any escalation.
- Listen to and record the victim's account, particularly their view about the behaviour, motivation and context of the offence. The victim may also not be aware of all the activity that is being carried out.
- Stalking will often focus on a person, whereas harassment will often focus on disputes – is there evidence to suggest if the problem was resolved, that the behaviour will stop?
- Stalking behaviours can be a greater risk of harm and they require greater consideration of safety. Consider the stalking mnemonic **FOUR**. Are the behaviours: **F**ixated, **O**bsessive, **U**nwanted, **R**epeated? This will assist you in identifying stalking behaviours.
- You have to assess the nature of the incident(s)/crime(s), vulnerability of the victim and the measures required to respond effectively to manage risk of harm posed by the suspect.
- Consider if the case meets the description of stalking.

Gather information from the caller

In cases of stalking there is a pattern of unwanted, fixated and obsessive behaviour which is intrusive. Harassment can amount to stalking and stalking can cause fear of violence or serious alarm or distress. Harassment is described as an unreasonable and oppressive behaviour that is repeated and may cause alarm or distress or fear of violence in the victim.

Consider asking these stalking screening questions:

- Is the victim frightened?
- Has the suspect engaged in harassment/stalking on previous occasions?
- Has the suspect ever destroyed or vandalised the victim's property?
- Does the suspect repeatedly visit the victim at work, home, etc, more than three times a week?
- Has the suspect loitered around the victim's home, workplace etc?
- Has the suspect made any threats of physical or sexual violence in the current harassment/stalking incident?
- Has the suspect involved or targeted any third party since the harassment/stalking began (for example, friends, family, children, colleagues, partners or neighbours of the victim)?
- Has the suspect acted violently towards people within the current harassment/stalking incident?
- Has the suspect persuaded other people to help him/her?
- Is the suspect known to be abusing drugs and/or alcohol?
- Is the suspect known to have been abusive in the past (this could be physical or psychological, known to Intelligence or reported).

- Other relevant information (for example level of fear in the victim, threats of harm or violence, duration of behaviour, various harassing behaviours engaged in by the suspect, victim's beliefs concerning the suspect's motives, weapons owned by the suspect, nature of unwanted 'gifts'/ items left for the victim, attitude/demeanour of the suspect including mental health issues, suicidal/homicidal thoughts and whether the victim has responded in any way to the suspect).

Any evidence of such concerning behaviour by a suspect will likely indicate stalking and that risk is higher and should be recorded as such, over and above specific acts of theft, criminal damage, etc, where established.

Equip the attending officer with information

Officers need to know relevant information to make a risk assessment. They also need to know anything which can help them to better understand the behaviour, motivation and the context.

You should make the appropriate background checks for previous history and other risk-related information:

- IT and/or paper-based systems – the PNC and Intelligence (eg, PND, ViSOR if accessible).
- Check for markers or alerts, including **MARAC** flag, previous reports on the suspect or between the parties.
- Previous risk assessments and prior harassment warning notices.
- Bail conditions and civil or criminal court orders (robust enforcement required).
- Child protection information.

Also consider:

- Any children or vulnerable adults present or normally resident at the address.
- Any other parties affected by the behaviour, eg, are other members of the victim's family also at risk?
- Any communication difficulties or additional needs.
- Results of background checks.
- Any factors affecting nature of response, eg injury, weapons (especially firearms), drugs or alcohol.
- Description of the suspect and whether they are present.
- Incident exactly as described by caller.

Provide all details to the officer.

The incident log should not be closed until contact has been made with the victim and a risk assessment carried out, whether at the first point of contact or by the attending officer.

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Annex A

Stalking screening questions

The Stalking Screening Tool or S-DASH (developed on behalf of ACPO from research conducted by Dr Lorraine Sheridan and Karl Roberts, but not evaluated)

Q1. Is the victim frightened?

Research demonstrates that the victim is frequently the best assessor of risk posed to them (Weisz et al. 2000). Stalking often consists of behaviours that, when taken at face value, may appear to be quite ordinary (eg, walking past the victim's house, asking the victim to go out on dates). With repetition however, these behaviours can become menacing, and the victim can feel unsafe and threatened. In all cases (even those where no direct threat has been made or where the victim does not yet have a great deal of evidence) it is important that the extent of the victim's fear is recorded. Research indicates that victims are often reluctant to be labelled as 'stalking victims', despite being very frightened, and feeling that no one will take their fears seriously (Sheridan et al. 2002).

Q2. Has the suspect(s) engaged in harassment/stalking on previous occasions (this victim and/or other victims)?

One of the best predictors of future behaviour is past behaviour, and stalkers are no exception to this general rule. Those who stalk strangers and public figures are particularly prone to serial stalking (Dietz et al, 1991a, b; Sheridan, 2001). Even though the victim may not know the stalker very well, he or she may be aware of a local reputation the stalker has for this type of behaviour. Stalkers may also seem to stop stalking their victim (usually for reasons unclear to anyone but the stalker), only to suddenly resume the harassment at a later date.

Q3. Has the suspect(s) ever destroyed or vandalised the victim's property?

Various studies have identified that a sizeable proportion of stalkers (up to two thirds) will damage the victim's property (Blaauw et al. 2002) and this includes adolescents engaged in stalking (McCann, 2000). Property damage may be associated with rage or frustration (perhaps because the offender is unable to attack the victim directly), revenge, a desire to harm something the victim cares about (ie, destroying wedding photographs), a wish to undermine a belief in a safe environment as a form of threat (ie, by cutting brake cables), or it may be connected with breaking and entering the victim's property or spying on the victim. Property damage has been identified by researchers as preceding or co-occurring with physical attacks on the victim (Harmon et al. 1995, 1998).

Q4. Does the suspect(s) visit the victim at work, home, etc, more than three times a week?

Stalking rarely takes place entirely at a distance. Research tells us that nearly all stalking cases will ultimately involve face-to-face contact between victim and stalker (Mullen et al. 2000). Some stalkers may appear or approach their victims regularly (ie on the victim's daily route to work). Others, particularly stalkers with an obvious mental illness, will appear in diverse places at unpredictable times (Sheridan and Boon, 2002). The research informs us 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. It should be noted, however, that some stalkers will have no regular pattern of harassment and in such cases an average of stalker visits could be estimated.

Q5. Has the suspect(s) loitered around the victim's home, workplace, etc?

Most stalkers will be seen by their victims. The useful aspect of this is that evidence can be collected, particularly if the victim keeps a log of stalker sightings and behaviour. Stalkers who loiter around places frequented by the victim tend to be those who are most likely to attack their victim. Such stalkers may compile victim-related information or track the victim's habits. Alternatively, an attack may be prompted by the stalker's frustration at not achieving his or her aims (such as a relationship with the victim), despite devoting many hours to the harassment. Stalkers are a varied group and some will attempt to loiter secretly (even camping out on or in the victim's property), while others will make no attempt at concealment. Whether secretive or overt, whether mentally disordered or not, most stalkers will share a belief that their behaviour is an appropriate response to circumstances.

Q6. Has the suspect(s) made any threats of physical or sexual violence in the current harassment/stalking incidents?

Stalkers frequently threaten their victims, either directly or indirectly. Examples of indirect threats include sending wreaths or violent images to the victim (often anonymously). Stalkers will often make specific written or verbal threats, and research demonstrates that these should be taken particularly seriously. Stalkers have been known to threaten violence months or even years into the future, and have indeed followed through on their threats. 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 (James and Farnham, 2003).

Q7. Has the suspect(s) involved or targeted any third party since the harassment/stalking began (ie friends, family, children, colleagues, partners or neighbours of the victim)?

In the majority of stalking cases, secondary victims will be identified. Although stalkers may stalk more than one person at a time, this question relates to associates of a primary victim. Stalkers will involve third parties for several reasons, principally to upset the victim (ie by involving or targeting the victim's children), to obtain information on the victim (ie by hounding the victim's friends), to remove perceived obstacles between the stalker and victim (ie by involving or targeting the victim's partner), and to punish those perceived as helping or shielding the victim (ie work colleagues who state that the victim is not available). Individual stalkers have been known to harass hundreds of third parties whom they perceive as connected with the primary victim (Mohandie et al. 2006; Mullen et al. 1999).

Q8. Has the suspect(s) acted out violently towards people within the current harassment/stalking incidents?

As noted, secondary victims will be identified in a majority of stalking cases, and can be a valuable source of evidential information. Research suggests that third parties will be physically attacked by the stalker in between six and 17 per cent of cases (Mohandie et al., 2006; Mullen, Pathé, Purcell, and Stuart 1999; Sheridan and Davies, 2001). Stalkers who attack those associated with the victim are more likely to also attack the primary victim. Those perceived as preventing access to the victim or protecting the victim are at particular risk.

Q9. Has the suspect(s) persuaded other people to help him/her (wittingly or unwittingly)?

The abilities of a stalker to pose as other persons and/or to draw information out of third parties should never be underestimated. Many stalkers will devote hours each day to their stalking, and are capable of stalking their victims for many years (Meloy, 1996). New technologies can facilitate harassment, enabling stalkers to impersonate another person online; to send or post hostile material, misinformation and false messages (ie to internet groups); and to trick other internet users into harassing or threatening a victim (ie by posting the victim's personal details on a bulletin board along with a controversial invitation or message) (Sheridan and Grant, 2007).

Q10. Is the suspect(s) known to be abusing drugs and/or alcohol?

Substance abuse by the stalker has been found to be associated with physical assault on the victim in a significant number of cases (Rosenfeld's 2004 review of 13 relevant studies). The abuse of various substances by stalkers can contribute both to the basis from which the stalking occurs and to individual violent episodes. Binge drinking or drug taking may directly precede an attack, fuelling obsessional, yearning or angry thought patterns, or by lending the stalker the confidence to approach or attack the victim. It is well known that substance abuse compounds the violence risk among those who are already mentally ill (Steadman et al. 1998), although non-mentally ill stalkers may also abuse alcohol and drugs.

Q11. Is the suspect(s) known to have been abusive in the past (physical or psychological, known to Intelligence or reported)?

One of the best predictors of future behaviour is past behaviour. It may not always be physical violence but could include the psychological impact as well. This might be in terms of coercive control and/or jealous surveillance of the victim (Regan, Kelly, Morris and Dibb, 2007) if the suspect(s) feels a real sense of entitlement or ownership of the victim. Generally speaking, stalkers who have been violent before – whether as part of a stalking campaign or in relation to separate offences – are more likely to be violent again. It should be noted, however, that some of the most seriously violent stalkers identified in the past had no criminal history (James and Farnham, 2003).