Home Office

Stalking Protection Orders:
Statutory Guidance for the Police

November 2026

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Contents

Chapter 1 – Status and purpose of this document 5

1.1 Introduction 5

1.2 Audience 5

1.3 Aims and purpose 6

Chapter 2 - Stalking Protection Orders 7

2.1 What is a Stalking Protection Order (SPO)? 7

2.2 Interim Orders 7

2.3 What is the difference between a 'full' order and an interim order? 8

2.4 Multi-agency information sharing and safety planning 8

2.5 Engaging Victims 10

2.6 Children and young people 12

Children protected by an SPO 12

Safeguarding responsibilities 12

Working with children's social care 13

Immediate risk of harm 13

Educational settings 13

Chapter 3 – Making a police application for an order or interim order 15

3.1 When to apply for a Stalking Protection Order (SPO) 15

Limb 1 - Acts associated with stalking 16

Limb 2 - Risk of stalking 17

Limb 3 – The order is necessary to protect the other person 18

3.2 How to apply for a Stalking Protection Order and interim order 19

Working across police force areas 19

3.3 Commencing Proceedings in the Magistrates' Court 20

3.4 Service of the summons 21

3.5 The Hearing – Proceeding in the respondent's absence 21

3.6 Evidential Requirements 21

3.7 Terms for inclusion in the order 22

Determining which prohibitions or requirements to include 23

How conditions interact with the Human Rights Act 1998 24

Prohibitions 25

Positive Requirements 25
Programme-based requirements 26
3.8 Safeguarding a child or young person under the age of 18 27
3.9 Applying for an order against a child or young person under the age of 18 27
Chapter 4 - Stalking Protection Orders made directly at the end of criminal proceedings 29
Chapter 5 – Service and management of Stalking Protection Orders including breaches 31
5.1 Serving an SPO 31
5.2 Registering an SPO 32
5.3 Management and monitoring of SPOs 32
Cross-force management and coordination 33
5.4 Notification requirements 34
5.5 Breach of an SPO 35
Chapter 6 – Variation, renewal and discharge of an order or interim order 38
Varying an SPO 39
Renewing an SPO 39
Discharging an SPO 40
Chapter 7 – Appeals 41
Chapter 8 – Legal Aid 42
Annex A – Understanding stalking 43
What is stalking? 43
Examples of stalking behaviour 43
Motivations and behaviours driving stalking 44
Impact of stalking behaviour 45
Working with victims 46
Factors for consideration 47
Understanding victim behaviours 47
Collecting and preserving evidence 48
Stalking support services 48
Annex B – Stalking support services 49
Annex C – Further guidance on stalking 50
Other relevant guidance 50

Chapter 1 – Status and purpose of this document

1.1 Introduction

1. The Stalking Protection Act 2019 received Royal Assent on 15 March 2019. The Act introduced a civil Stalking Protection Order (SPO) which closed a gap in the existing protective order regime by introducing an order specifically aimed at stalking behaviour. This guidance is issued as statutory guidance under section 12 of the Stalking Protection Act 2019 which came into force on 20 January 2020.

2. Stalking is a prevalent and high-harm form of violence against women and girls (VAWG) that can have profound and long-lasting effects on victims. The impact may be psychological, emotional and physical, affecting a victim's sense of safety, and ability to carry out everyday activities. Given the serious risks associated with stalking, including the potential for escalation, it is vital that there are tools available to address stalking behaviour as early as possible. **As such, the threshold for criminal proceedings does not need to be met for an SPO to be made, allowing for early intervention in stalking cases.**

3. While the intention of an SPO is for early intervention and safeguarding, the Crime and Policing Act 2026 has also introduced provisions which enable the courts to issue an SPO at the end of criminal proceedings. **However, officers should continue to apply for an SPO at the earliest opportunity as soon as risk associated with stalking has been identified and not wait until the conclusion of criminal proceedings.**

4. An SPO can be used to complement a prosecution of a stalking offence but should never be an alternative to prosecution where the threshold for a criminal offence (for example under the Protection from Harassment Act 1997) has already been met. SPOs are to be used as part of wider safeguarding and public protection procedures and the police should involve multi-agency partners whenever appropriate.

1.2 Audience

5. This guidance is for the police in the exercise of their functions in relation to SPOs. It is designed to assist police to make appropriate and proportionate assessments when considering whether or not to apply for, or to seek to vary, an order. This guidance also outlines the role of policing when an application is made at the end of criminal proceedings by the courts.

6. The information within this guidance may also be relevant to assist the work of other criminal justice agencies and statutory bodies, as well as non-governmental and voluntary organisations which may be associated with victims or others affected by stalking behaviour. This guidance applies to England and Wales only.

1.3 Aims and purpose

7. This guidance has three key functions:

- to provide strategic guidance to the police on the effective use of, and application process for, SPOs, including when to consider applying for an order and how to manage the subject of an order effectively;
- to provide high-level information on what stalking is and how to identify it, including the motivations behind stalking behaviour and links to other forms of abuse (Annex A); and
- to signpost police to other sources of guidance on stalking (set out at Annex C – Further guidance on stalking), in particular regarding investigating cases of stalking; assessing and managing the risk posed by perpetrators; and safeguarding and supporting victims.

Chapter 2 - Stalking Protection Orders

2.1 What is a Stalking Protection Order (SPO)?

8. An SPO is a civil order designed to protect victims and disrupt perpetrators' stalking behaviour at the earliest opportunity. **The need for and benefits of applying for an SPO should be considered in all cases where a course of conduct of stalking is identified.** This is regardless of the relationship between the perpetrator and the victim.

An SPO can:

- prohibit the perpetrator from carrying out actions specified in the order (known as prohibitions or restrictions); or,
- require the perpetrator to comply with actions specified in the order (known as positive requirements).

9. **Police should always consider applying for an SPO where an individual has carried out acts associated with stalking, they pose a risk associated with stalking to another person, and the proposed order is necessary to protect another person from such a risk.** An SPO is a civil order and does not therefore require criminal proceedings to be in place. An order can be sought by the police at any stage of the criminal justice process, including before charge, during proceedings, following conviction or acquittal, and in cases where there is no criminal prosecution.

10. Bail conditions or the existence of another protective order should not prevent consideration of an SPO. Police should always consider whether an SPO could provide additional or more appropriate protection where risk associated with stalking is identified. No prior conviction for stalking offences is required to apply for an order.

11. The Court can also decide to make an SPO at the end of criminal proceedings without requiring a police application, providing the legal test described above has been met in relation to the defendant. See chapter 4 for guidance on this.

2.2 Interim Orders

12. An interim SPO cannot be sought as a standalone measure. It may only be applied for where a substantive application for an SPO has been made and remains undetermined. An application for an interim SPO may be made at the same time as the substantive application or at any stage before that application is determined by the court. It should be noted that an interim order is not available on conviction or acquittal, instead it is only available upon application by the police.

13. The purpose of an interim order is to protect the victim during any period between the application for a full order and its determination. Police should consider whether an interim SPO is appropriate where there is an immediate need to manage the risk posed by the respondent and waiting for the substantive hearing may leave the person at risk exposed to further stalking behaviour or harm. This may include cases involving escalating behaviour, heightened safeguarding concerns, or indications that the respondent presents an immediate risk to the victim or others.

14. It is a matter for the court to determine whether an interim SPO should be made. Officers should therefore be prepared to explain why the proposed prohibitions or requirements are necessary and proportionate pending determination of the substantive application.

15. Delays between an application being made and an interim hearing being listed do not, of themselves, mean that an interim order is no longer appropriate. In considering whether to seek an interim SPO, officers should assess the current level of risk and any relevant change in circumstances since the application was made. The absence of further reported incidents during the intervening period should not automatically be taken to indicate that the risk has reduced. Officers should consider the full circumstances of the case, including the nature of the stalking behaviour, the extent to which the victim has altered their behaviour to manage risk, and whether the factors giving rise to the application remain present.

2.3 What is the difference between a ‘full’ order and an interim order?

16. When considering whether to make an interim order, the court can make one ‘if it considers it appropriate to do so’ as per section 5(3) of the Stalking Protection Act 2019. This is a lower threshold than that required to make a ‘full’ order, where the court can make one only if it is ‘satisfied on the balance of probabilities’ that an order is ‘necessary to protect another person’ from stalking as per section 2(1) of the Stalking Protection Act 2019.

17. So, an interim order could potentially be made more quickly on an immediate assessment of risk, before a full examination of the evidence to determine the application for the ‘full’ order.

2.4 Multi-agency information sharing and safety planning

18. SPOs are one of a range of tools available to the police and partner agencies to manage perpetrators, reduce risk and protect victims. An SPO should not be viewed in isolation. Decisions relating to an SPO should form part of wider multi-agency safeguarding, risk management and safety planning arrangements, ensuring that all relevant agencies work together to identify, assess and manage the risks posed by the perpetrator.

19. The effective use of SPOs therefore demands proactive multi-agency working at all stages. **The police must keep partner agencies involved in, and informed of any updates to, active SPO cases and to work closely with established multi-agency forums where appropriate.** This could include, for example, a Multi-Agency Stalking Intervention Programme (MASIP), Multi-Agency Risk Assessment Conference (MARAC), Multi-Agency Public Protection Arrangements (MAPPA) or regional VAWDASV Boards and specialist services in Wales.

20. Where children or adults at risk are involved, consideration should also be given to ensuring the relevant information regarding the existence, variation, breach or discharge of an SPO is shared with ongoing safeguarding processes and forums, such as Multi-Agency Safeguarding Hubs (MASH), child protection processes, child in need or Early Help arrangements, adult-at-risk processes in accordance with information-sharing legislation and local safeguarding procedures in England and Wales.

As soon as is practicable, the police are expected to:

Enter the relevant information onto the PNC (Police National Computer).	✓
Inform the victim and offer referral to specialist services.	✓
Review the safety of the victim and update safety planning as required, such as carrying out a risk assessment.	✓
Inform relevant partner agencies through established multi-agency forums.	✓
Where a child is 16 or under, they may be affected by stalking which takes place in the context of domestic abuse. Section 3 of the Domestic Abuse Act recognises them, legally, as victims in their own right.	✓
An Operation Encompass (OE)[1] notification must be issued if police attend a Domestic Abuse incident in a child's home (16 or under), regardless of whether the child was present or not at the time.	✓
Where police are concerned about a child's welfare they should issue a notification to children's social care services.	✓
Where the victim and the perpetrator live in different police force areas, inform any other relevant police force of the SPO.	✓

[1] https://www.gov.uk/government/publications/information-sharing-duty-operation-encompass

21. The police should progress multi-agency information sharing and safety planning **at each of these vital stages** in an SPO lifecycle:

    - When a SPO is made, or is not made, on an application by the police;
    - when a SPO is made during or at the conclusion of criminal proceedings (for instance, on conviction or acquittal);
    - When a SPO is varied or discharged, or is not varied or discharged, on an application by the police;
    - When a SPO is breached;
    - When an appeal is lodged against any decision of the court relating to a SPO is determined;
    - In advance of the expiry date of a SPO; and,
    - If the court does not make the SPO or variation sought or imposes requirements that differ from those sought by the police, safety plans must be reviewed and, where necessary, amended to ensure the victim remains protected.[2]

2.5 Engaging Victims

22. The person (or persons) to be protected by the SPO should be engaged throughout the lifespan of the order, from initial consideration of an application through to the management, variation, renewal or discharge of the order. In this section and throughout this guidance, this person is referred to as the victim. **Effective engagement can assist the police in understanding the nature and impact of the stalking, assessing risk, identifying appropriate protective measures, and most importantly, ensuring that the victim is appropriately safeguarded.**

23. Police should have regard to their obligations under the Victims' Code when engaging with victims in relation to SPOs. Victims should be provided with timely information, supported to understand the purpose and effect of an SPO, and given appropriate opportunities to express their views at key stages of the process.

24. The police should prioritise the ongoing safety of both adult and child victims. Safe enquiry with the victim and the use of appropriate risk assessment processes in consultation with partner agencies is important for victim safety planning and reducing the risk of further harm by the perpetrator. For example, this could be done through established safeguarding arrangements such as MASIPs, MARACs, MASH, regional VAWDASV Boards, and specialist services in Wales.

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[2] If the police disagree with the court's decision not to make a SPO or regarding the requirements imposed by the SPO, they may appeal against it. Further detail on the circumstances in which the police may make an appeal in relation to a SPO is set out in Chapter 7.

25. For further guidance on partnership working and information sharing, the police should refer to the College of Policing Authorised Professional Practice (APP) guidance on stalking.

26. Victims should be informed of and engaged in relation to:

- consideration of whether an application for an SPO will be made;
- the terms being sought through the order and the practical effect of any proposed prohibitions or requirements;
- the outcome of an application, including where an application is refused;
- any suspected or confirmed breaches of the order;
- applications to vary, renew or discharge the order; and
- significant developments affecting their safety or the management of the respondent.

27. Where the order protects the victim in certain locations, for example the workplace, police should consider whether any third party should be notified about the order. For example, notifying the victim's place of work so building security can be appropriately advised.

28. While victim views should be sought and taken into account wherever appropriate, decisions regarding an application for an SPO, its terms, and any subsequent variation, renewal or discharge remain matters for the police and ultimately the court. A victim's support for, or opposition to, an order should not be treated as determinative, and officers should continue to assess risk and safeguarding needs based on all available information.

29. The police should ensure they undertake the following when engaging with the victim. The police may wish to work through a specialist stalking support service to meet these requirements. The police should:

- Provide the victim with information about the SPO, including who is responsible for managing the order and its practical limitations;
- Explain the prohibitions and/or requirements imposed by the SPO to the victim and ensure the victim has a copy of the order;
- Inform the victim about what action they should take if any of the prohibitions or requirements are breached and what action the police can take, in the event of a breach;
- Refer the victim to local support services, such as an Independent Stalking Advocate (ISA/C) or other community-based and by-and-for services; and,
- In the event of a breach, consider that the victim may not be aware of the full extent of the breach or the behaviour which constituted it and being informed of a breach could lead to re-traumatisation. Any notification to the victim that a breach has occurred must be handled sensitively, with the support of an ISA/C or other services where necessary. Police should refer to the statutory

guidance on the role of ISA/Cs.

Support for victims

- ISA/Cs or other specialist stalking caseworkers can be the main point of contact for the victim, working to assess level of risk, discuss opportunities for support, and develop safety plans alongside the police. This support can positively improve outcomes around safety, recovery, and engagement with the criminal justice process.
- Police should also consider making the referral to local relevant specialist support services on behalf of a victim. A list of specialist organisations can be found linked in Annex B.
- Specialist services can also help victims access wider support, including housing, mental health, counselling, and healthcare.

This list is not exhaustive.

2.6 Children and young people

Children protected by an SPO

30. SPOs can provide direct protection to any person the court considers it is necessary to protect from a risk of stalking, including children. A child may be the primary victim of the stalking behaviour or may be at risk as a result of stalking directed towards another person.

31. Where a child has been identified as a person requiring protection, officers should ensure that the child's needs, safety and welfare are considered throughout the application, management and review of the order. Officers should ensure wherever possible that the views, wishes and experiences of the child or young person are sought and considered in a manner appropriate to their age, understanding and circumstances. Officers should also engage, where appropriate, with the child's parents, guardians or carers. This should inform risk assessment, safeguarding planning and decisions relating to the management of the order.

32. Officers should remain alert to the circumstances of the case and consider whether engagement with a parent, guardian or carer may itself give rise to safeguarding concerns or place the child at increased risk. Decisions regarding who should be involved should be informed by the child's best interests and wider safeguarding considerations.

Safeguarding responsibilities

33. The existence of, or application for, an SPO does not remove the need for wider safeguarding activity. Where officers identify concerns regarding a child's welfare

or safety, they should take appropriate safeguarding action in accordance with local child protection procedures.

34. Officers should not assume that another agency will share information necessary to keep a child safe. Officers should have regard to their duties under section 16LA of the Children Act 2004. Where officers hold information that may be relevant to safeguarding or promoting the welfare of a child, they should consider whether that information ought to be shared with children's social care or other relevant safeguarding partners in accordance with the statutory information-sharing duty and associated guidance.

35. Particular care should be taken where a child moves between local authority or police force areas to ensure that relevant information is not lost and that safeguarding arrangements continue without interruption.

Working with children's social care

36. Where officers have reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm, they should make an appropriate referral to children's social care and engage with any enquiries undertaken under section 47 of the Children Act 1989.

37. Officers should actively participate in multi-agency safeguarding arrangements where appropriate, ensuring that information relevant to the risk posed by the respondent and the safety of the child is shared with partner agencies. The police should therefore consider whether information relating to stalking behaviour, the making of an SPO, breaches of an order, or changes in risk should be shared with relevant safeguarding partners to support the child's safety and welfare.

Immediate risk of harm

38. Where there is a risk to the life of a child or a likelihood of serious immediate harm, whether from inside or outside the home, the local authority, the police (including BTP and MDP) or NSPCC should use their statutory child protection powers to act immediately to secure the safety of the child, as set out in Section 46 of Children Act 1989. In Wales, police should also have due regard for the arrangements and procedures for safeguarding children in Wales.[3]

Educational settings

39. Educational settings can play an important role in identifying concerns, supporting children affected by stalking-related behaviours, and contributing to wider safeguarding and safety planning. Officers should therefore consider whether information relating to the stalking behaviour, the making of an SPO, breaches of

[3] https://safeguarding.wales/en/chi-i/

an order, or changes in risk should be shared with a child's educational setting, where lawful and appropriate to do so.

40. The police have a duty to issue notifications to a child's educational setting after they have attended a domestic abuse incident in the child's home, regardless of whether the child was physically present (also known an Operation Encompass). The duty recognises the significant impact that domestic abuse can have on children and ensures that educational settings are made aware of potential risks, enabling them to provide timely, informed support and take appropriate safeguarding action to promote the child's wellbeing and welfare.[4]

[4] https://www.gov.uk/government/publications/information-sharing-duty-operation-encompass

Chapter 3 – Making a police application for an order or interim order

41. This section provides guidance on when and how to make a police application for an SPO. It should be read alongside the specific provisions in the Stalking Protection Act 2019 ("the 2019 Act") in relation to applications for an order or interim order. For SPOs on conviction or acquittal, see Chapter 4.

Remember: SPOs were designed to enable early police intervention pre-conviction to address stalking behaviours, the threshold to commence criminal proceedings for the commission of an offence does not need to be met for an order to be made. This allows for early police intervention in stalking cases before behaviours become entrenched or escalate in severity and to protect victims from more serious harm. However, there is no restriction as to the stage of the criminal justice process at which an order may be made, and depending on the circumstances an order could be made following conviction or acquittal.

42. Applications are freestanding and the Court has the power to consider an application and make an SPO at any stage, provided it is satisfied that the three criteria set out in section 2(1) of the Act are met.

3.1 When to apply for a Stalking Protection Order (SPO)

43. The criteria for applying for an order are set out in section 1(1) of the 2019 Act. The police should consider applying for an order where it appears to them that:

- The defendant has carried out acts associated with stalking;
- The defendant poses a risk of stalking to a person; and
- There is reasonable cause to believe the proposed order is necessary to protect the other person from that risk. (The person to be protected does not have to have been the victim of the acts mentioned above.)

44. All three criteria must be met for an SPO to be made, and together these are sometimes referred to as the 'legal test'. **Officers should consider these criteria carefully when deciding whether to apply for an SPO and ensure that any application clearly sets out the evidence in support of each element.** However, it is ultimately for the court to determine whether it is satisfied that the statutory criteria in section 2(1) of the Act have been met.

45. Officers should always consider applying for an SPO in the following circumstances (this is not an exhaustive list):

    - a victim has reported stalking behaviour, or it has come to the attention of police during a separate investigation or by other means (such as a third-party referral through the MARAC / MAPPA processes or from another member of the public); and
    - at any point during the course of an investigation, up to and including the point of conviction (or acquittal), or where an investigation has not yet commenced.

46. The investigating officer should consider and record their decision on whether to apply for an order at the start of every stalking investigation, including cases where a prosecution may be brought at a later stage.

47. It is expected that the police will consider all protective measures, selecting the most appropriate with due regard to any protected characteristics of the victim. The police should also give consideration towards any protected characteristics of the perpetrator throughout any proceedings, interventions or requirements associated with a SPO.

48. In cases where there is evidence of domestic abuse, police officers should consider whether a Domestic Abuse Protection Notice or Order may be more appropriate. Consideration should also be given to the victim's views and those of any independent advocates (Independent Stalking Advocates or Independent Domestic Violence Advocates). Under Section 35 of the Domestic Abuse Act 2021, a DAPO may impose a positive requirement requiring the perpetrator to take specified action. Where necessary and proportionate, this could involve participation in an assessment and, where appropriate, an intervention designed to address the perpetrator's stalking behaviour. It is ultimately for the police to determine whether an application for a Stalking Protection Order of Domestic Abuse Protection Notice/ Order should be made.

49. The police can apply for an order against children and young people aged from 10 years old up to their 18th birthday. These cases will be dealt with by the youth courts. The police should consider applying for an order not just to protect the victim but also, where necessary, anyone connected to the victim who may also be at risk of being stalked by the respondent.

Limb 1 - Acts associated with stalking

50. As explained above, police must be able to demonstrate that the respondent has carried out acts associated with stalking. The 2019 Act does not require the respondent to have been convicted of a stalking offence, nor does it require criminal proceedings to have been commenced. However, there must be sufficient evidence to support the court's conclusion that the respondent has carried out acts associated with stalking. It is important to note that stalking can affect people of all

characteristics, and that although victims are disproportionately female, they come from all walks of life.

51. **When considering whether this criterion is met, officers should take a broad view of the respondent's behaviour and consider the pattern, context and cumulative impact of their actions.** While a single act may appear innocuous when viewed in isolation, repeated, unwanted or fixated conduct may amount to acts associated with stalking when considered in the wider context of the case.

52. Evidence may come from a range of sources and officers should seek to identify and present evidence that demonstrates the nature, frequency, persistence and impact of the behaviour. An application for an SPO does not require a full criminal investigation to have been completed, nor does it require officers to have gathered all available evidence. Given the preventative purpose of SPOs, officers should not delay seeking an order solely because a criminal investigation remains ongoing.

53. The behaviour which forms the basis for an application can have taken place:

    - in any part of the United Kingdom, or abroad;
    - before or after the commencement of section 2 of the Stalking Protection Act 2019 on 20 January 2020.

54. The court will ultimately determine whether it is satisfied that the respondent has carried out acts associated with stalking. Officers should therefore focus on gathering and presenting all relevant evidence to support the application, rather than seeking to make a definitive legal determination themselves.

Limb 2 - Risk of stalking

55. Police must also be able to demonstrate that the respondent poses a risk of stalking to another person. This can be the victim in relation to the ‘acts associated with stalking’ or any other person and officers should consider whether the respondent poses a risk to multiple people including children. This criterion requires consideration of the likelihood of future stalking behaviour.

56. The police will need to assess the risk posed by the respondent. Investigators should consult with the victim at an early stage in this process as their views around the risks to them are important to consider. The police should ensure that an appropriate specialist stalking risk assessment or screening tool is used, in consultation with other relevant agencies or via an independent risk assessor where appropriate. Officers should also consult specialist stalking services and/or ISA/Cs where appropriate. This is to ensure that they have as detailed a picture as possible to inform decisions throughout the SPO process.

57. In assessing risk, officers should consider the nature, pattern, persistence and escalation of the respondent's behaviour and any relevant previous offending history of the respondent including previous incidents involving the same or

different victims, the presence of previous orders or breaches of existing protective measures.

58. The risk of stalking posed by the respondent may be in respect of physical or psychological harm to the other person and/or physical damage to their property. Risk may arise from acts which the respondent knows or ought reasonably to know are unwelcome to the other person, even if in other circumstances or individually the acts may appear in themselves harmless. For example, sending someone unwanted gifts or flowers in conjunction with other behaviour may constitute stalking behaviour. For more examples of acts or omissions which may amount to stalking behaviour, see section 2A of the Protection from Harassment Act 1997.

59. The court will ultimately determine whether the respondent poses a risk of stalking. Officers should therefore focus on presenting all relevant evidence which may assist the court in assessing both the current risk and the likelihood of future stalking behaviour.

Limb 3 – The order is necessary to protect the other person

60. Police must also be able to demonstrate that the proposed order is necessary to protect another person from the risk of stalking posed by the respondent. This requires officers to consider how the order would address, reduce or manage the risks identified in the case.

61. The police should consider reasonableness when determining whether to apply for an order, taking into account the circumstances of the matter and the background to the behaviour. The police should ensure that the victim reasonably finds the behaviour unwelcome, that the respondent ought reasonably to have known that and that the behaviour can reasonably be regarded as posing a risk to the victim.

62. Officers should ensure that the terms sought are tailored to the specific circumstances of the case. Conditions should be linked to the identified risk and should not impose restrictions beyond those required to protect the person at risk. Particular care should be taken where a proposed condition may interfere with the respondent's employment, education, religious observance, family life or other lawful day-to-day activities. In such cases, officers should be able to demonstrate why the restriction is necessary. Conditions should be capable of being understood and complied with by the respondent.

63. The court will ultimately determine whether an SPO is necessary. Officers should therefore provide sufficient evidence of the risk posed and explain why the order sought is an appropriate means of managing that risk and protecting the person concerned.

3.2 How to apply for a Stalking Protection Order and interim order

64. The process for making an application for an interim order is the same as that for a full SPO. The police may be required to provide a written statement for court or provide evidence in person when applying for an SPO.

65. **Who can make an order:** An application for an order or an interim order can be made by a chief officer of police (as delegated) – including the chief officers of the British Transport Police and Ministry of Defence Police – in respect of a person (respondent) who resides in the chief officer's police area, or who the chief officer believes is in that area or is intending to come to it.

> **Remember:** It is not necessary for the respondent to have a prior conviction for a stalking offence for the police to apply for an SPO. The court can make a Stalking Protection Order if it is satisfied that the conditions in section 2(1) of the Act are met. The court may make an interim order if satisfied that it is "appropriate to do so", pending determination of the main application.

66. Officers should consult the College of Policing's Authorised Professional Practice on SPOs which provides advice on applying for an SPO. An application for an order must be authorised by an officer not below the rank of superintendent.

Working across police force areas

67. Where the respondent and the victim reside in different force areas, either at the time of the Order being granted or following a move of either party while the Order is in place, the respondent's local force should liaise with the victim's local force to develop a thorough understanding of the circumstances of the individual case and to ensure that the most appropriate prohibitions and requirements in the circumstances are requested or remain appropriate. Such co-ordination and sharing of information between forces is subject to existing police frameworks.

68. It is also important that, if an Order is granted, the force which made the application passes full information (details of the Order including any risk assessments completed and any risk management plans) about the Order and conditions to the force in whose area the victim lives (if different). This is, to ensure that the victim is fully protected and that police in that area are aware of and can address any breaches of the Order that may occur in their area. Ideally, forces should identify a local point of contact to facilitate an agreed transfer process and ongoing case management (subject to existing police frameworks for doing so).

69. To note that a victim may experience stalking behaviour in more than one police force area, for example if they live in one force area, work in another and experience stalking in both. In those cases, where the respondent lives in a third force area, the respondent's local force is advised to liaise with, and provide details of any Stalking Protection Order to, all relevant forces.

3.3 Commencing Proceedings in the Magistrates' Court

70. An application for a 'full' Stalking Protection Order can be made by way of complaint by the police – including the British Transport Police and Ministry of Defence Police - to a magistrates' court. This means that the court will act in its civil capacity and so the civil rules of evidence apply and hearsay is admissible.

71. **The courts will apply the civil standard of proof (balance of probabilities) to the fact-finding elements of an SPO application** (whether the defendant has carried out acts associated with stalking, and whether the defendant poses a risk associated with stalking to another person). If and when the court finds that the person has carried out the acts and poses a risk, the courts will also apply the civil standard of proof to the third element of an SPO application (whether an order is necessary to protect another person).

72. If the respondent is under 18, the complaint is made to a youth court. The general provisions governing applications for civil orders in the magistrates' courts are as set out in Part 2 of the Magistrates' Courts Act 1980. In order to expedite the process, it is recommended that the police consider alerting the court prior to making an application, to help in its scheduling.

73. An application for an interim order is also made by way of complaint. This application may either be commenced at the same time as the main application or where the main application has been made but not yet determined. The courts will not apply the criminal standard of proof for any of the elements of an interim SPO application, thus treating it as an exercise of judgement or evaluation.

74. A court may, and usually will, issue a summons to secure the respondent's attendance at the hearing. There is no legal requirement for the Police to issue an additional notice of hearing to the respondent. Where the complaints for both the main order and an interim order are commenced at the same time, the Police should request that the court issues a summons for both the main application and the interim order, albeit to the same hearing date. Applications for both the main order and the interim order must be made by the same police force. Where an interim order application is made at court while the respondent is present, there is no need for the court to issue a summons to consider the interim order application.

75. There is a financial cost to the police associated with applying to the court for an order. The fee should be paid at the same time as the application is made. Police forces may have arrangements in place locally for the payment of Court fees. There is an additional fee if the application leads to a hearing and if the application is contested. Fees are prescribed in The Magistrates' Courts Fees Order 2008 (Amended).

3.4 Service of the summons

76. The court will issue the summons to the police and then the responsibility for service of the summons to the respondent lies with the Police. Generally, a summons will be served by posting it to the respondent at an address where it is reasonably believed that they will receive it, leaving it at such an address for the respondent or handing it in person to the respondent. Rule 99, Magistrates' Courts Rules 1981 as amended by the Magistrates' Courts (Amendment) Rules 2019 clarifies other permissible methods of service.

3.5 The Hearing – Proceeding in the respondent's absence

77. If the respondent fails to attend the hearing, the court may either:

- hear the application for the Stalking Protection Order in the respondent's absence. If the Stalking Protection Order is granted there will be no need for the court to consider the interim order;
- issue a warrant for the respondent's arrest and consider an interim order if laid;
- adjourn the main application and consider an interim order if laid; or
- adjourn the main application, and an interim order if laid, to another date.

78. The court may issue a warrant or hear an application for the main order or any interim order in the respondent's absence only if the legal requirements in section 55 of the Magistrates' Courts' Act 1980 are met. The court needs to be satisfied either that the respondent was present at an earlier hearing or that the respondent has been served with the summons by one of the prescribed methods within what the court decides is a reasonable time before the hearing. Before the court can make an interim order in the respondent's absence, the respondent must have been summoned to answer the interim order complaint, alongside the summons for the main application.

3.6 Evidential Requirements

79. The court may consider hearsay evidence in addition to live testimony from witnesses to determine the application for a Stalking Protection Order or interim order. Witnesses for the Police therefore need to be warned, if required, only after the respondent has confirmed at the first hearing that the evidential basis for the order is contested and the court has adjourned for a contested hearing.

80. Where the Police wish to rely upon hearsay evidence, a notice of the evidence must be served on the respondent at least 21 days before the hearing (Rule 3 Magistrates' Courts (Hearsay Evidence in Civil Proceedings) Rules and section 2 of the Civil Evidence Act 1995). The court or justice's clerk can apply discretion to vary the time limit on application or of its/their own initiative. Failure to comply with

this requirement does not prevent the evidence being admissible but is a factor the court may consider in deciding how to proceed and on the issue of costs.

81. While the Act provides for the Police to apply for Stalking Protection Orders to reduce the potential impact on vulnerable victims, there may be circumstances where it is appropriate for the victim or other witness to attend the application hearing to provide evidence in support of the application. While there is no legislation underpinning the process by which the Court may grant special measures, it is able to rely on common law powers to do so where appropriate (R v X (1989) 91 Cr App Rep 36, [1990] Crim LR 515). When completing the application for an SPO, if the Police decide that witness attendance is necessary and special measures are required, they should complete the relevant 'Special Measures' section of the SPO application confirming the witness's name, the reason special measures are sought, and the type of measure sought. The Court will consider the request on receipt of the application and prior to listing the hearing. The Police can then inform the witness in advance of the hearing about whether the request has been successful.

3.7 Terms for inclusion in the order

82. Within an application for an SPO, or an interim order, police can request both prohibitions and/or requirements to protect the victim from the risk of stalking. However, the final decision as to which conditions to include within an Order is for the magistrates' court to take. **A person who, without reasonable excuse, breaches an SPO or an interim SPO commits a criminal offence punishable by up to five years' imprisonment.**

83. The application must effectively demonstrate the necessity for the order, the conditions requested and the risk of harm (which may be psychological and/or physical) posed, as well as that the conditions suggested are proportionate to the harm posed as per the criteria in section 1(1) of the 2019 Act.

84. An order has effect for a fixed period specified in the order or until a further order is made. Where a fixed period is specified in the order, it must be for a period of at least two years. Different periods may be specified in relation to different prohibitions or requirements in the terms of the order, depending on the circumstances.

85. A Stalking Protection Order and an interim Stalking Protection Order **must** specify:

- the date on which the order is made;
- the period for which it has effect. This may be fixed for a Stalking Protection Order but must be fixed for an interim order. An interim order will expire upon the determination of the main application;
- each prohibition or requirement which applies to the defendant;

- whether any prohibition or requirement is expressly limited to a particular locality and, if it is, what the locality is;
- whether any prohibition or requirement is subject to a fixed time period which differs from the period for which the order has effect and, if it is, what that period is.

86. A court may impose provisions in the SPO which it deems necessary and proportionate to protect the person for whom the protection order is made. These provisions include prohibitions, restrictions, or positive requirements. They have effect in all parts of the United Kingdom unless expressly limited to a particular locality.

87. When drafting an SPO application, police are advised to ensure that any conditions sought in applications are clear, specific, necessary and proportionate to the circumstances to assist the court which is considering the application to impose the most appropriate conditions.

Determining which prohibitions or requirements to include

88. **The police should engage with a range of partners when considering the most appropriate conditions to request within an application for an order and this should include engagement with the victim.** The police should consider seeking specialist advice regarding the terms which they request be included in the order. They may also wish to consider investigating the availability of relevant local services and programmes. For example, they may wish to consult with the Local Authority, their Police and Crime Commissioner, the local Clinical Commissioning Group, specialist healthcare practitioners or non-Governmental organisations such as specialist support services or ISA/Cs.

89. Breach of an SPO is a criminal offence and as such the Crown Prosecution Service (CPS) authorise and prosecute them. It may therefore also be sensible to seek CPS advice on the wording of unusual or complex conditions to ensure that any breaches will be capable of being proved to the criminal standard of proof.

90. When assessing necessity, professionals should not place undue weight on a temporary cessation of stalking behaviour. An SPO may remain necessary and proportionate where the respondent has not engaged in recent stalking conduct because other safeguarding actions have been successfully implemented or where the defendant is subject to time-limited restrictions that limit their opportunity to continue the course of conduct. Victims may also not be aware of the entirety of the stalking behaviour.

91. Electronic monitoring may be used to support monitoring compliance with certain SPO requirements where the court considers it necessary and proportionate. However, police should be aware that electronic monitoring is not currently available for SPOs through the Ministry of Justice's contracted electronic

monitoring service. While some police forces may utilise alternative monitoring technologies through local arrangements, these are not nationally available.

92. Where forces are considering the use of such arrangements, officers should ensure they are lawful, operationally deliverable, and proportionate to the identified risk. Any proposal to use force-led electronic monitoring should be subject to appropriate governance and authorised at chief officer level. Police should not request electronic monitoring requirements that cannot be effectively implemented or monitored in their area.

93. Officers should also consider the potential impact of a change in circumstances, including where the respondent or the person being protected relocates to another police force area. Where electronic monitoring is dependent on local arrangements that are not available nationally, forces should consider whether the requirement can continue to be delivered and monitored effectively following any move. Where this is not possible, consideration should be given to whether alternative conditions, variation of the order, or other risk management measures may be required to maintain protection and manage the identified risk.

94. Police making an SPO application should ensure that any positive requirements included within an application, such as perpetrator intervention programmes, are appropriate to the respondent's stalking behaviour and the circumstances identified.

95. The police should also interrogate relevant police records to establish whether the respondent is already subject to another order or injunction. If so, they must ensure that the proposed conditions within the application do not contradict the terms of any existing order.

How conditions interact with the Human Rights Act 1998

96. The court, as a public authority under the Human Rights Act 1998, must, so far as possible, interpret and apply the Stalking Protection Act 2019 in a manner that is compatible with the European Convention on Human Rights (ECHR). When considering an application for an SPO, the court will balance the rights and interests of all parties and consider whether the proposed conditions are necessary and proportionate to achieve the legitimate aim of protecting another person from harm.

97. In accordance with section 2(3) of the 2019 Act, the police should, so far as practicable, seek prohibitions and requirements that do not conflict with the respondent's religious beliefs, times at which they normally work, or times at which they normally attend an educational establishment. **However, this provision does not prevent the police from seeking, or the court from imposing, prohibitions or requirements that affect these matters where this is necessary and proportionate to protect a person from the risk of stalking.**

98. Where the respondent and victim attend the same workplace, educational setting or place of worship, officers should carefully assess the risk posed and whether restrictions relating to those locations are necessary to protect the victim. In doing so, officers should be mindful that the right to manifest a religion or belief may be subject to lawful restrictions where necessary to protect the rights and freedoms of others. Whether any condition is then imposed is a matter for the court to decide, balancing the rights and interests of all parties.

Prohibitions

99. The police may seek, and the court may subsequently impose, any requirements which are considered necessary to protect the person from stalking, or the risk of stalking. Each application should be considered on its own circumstances when deciding the most appropriate conditions and the examples in this guidance are **not exhaustive**.

Examples of possible prohibitions:

The conditions of an order could include prohibiting the respondent from:

- entering certain locations or defined areas where the victim resides or frequently visits;
- contacting the victim by any means (including via third parties such as friends);
- making reference to the victim on social media either directly or indirectly;
- making vexatious applications to the civil court (including the Family Court) which reference the victim;
- inciting another individual to undertake acts associated with stalking, for example a friend, family member, or private investigator;
- recording images of the victim;
- using any device capable of accessing the internet to facilitate or carry out any of the conditions described in the order;
- travelling to another country or jurisdiction;
- physically approaching the victim (at all, to within a specified area or as outlined on a map); and/or
- engaging in any form of surveillance of the victim by any means.

Positive Requirements

100. An SPO may impose a positive requirement requiring the perpetrator to take specified action. Positive requirements may be imposed alongside prohibitions where the court considers them necessary and proportionate to protect the victim from stalking, or the risk of stalking. Any positive requirement should be tailored to the circumstances of the case, linked to the risks identified by the police and the court, and designed either to manage those risks or address factors contributing to the perpetrator's stalking behaviour.

101. Positive requirements may be programme-based or non-programme-based. Programme-based requirements involve participation in an assessment and, where appropriate, an intervention designed to address the perpetrator’s behaviour. Non-programme-based requirements require the perpetrator to take other specified actions tailored to the risks posed in the individual case.

102. Examples of programme-based requirements may include attendance at an assessment of suitability for, and where appropriate, participation in, a perpetrator behaviour change programme, mental health intervention or substance misuse intervention.

103. Police are responsible for monitoring compliance with all positive requirements imposed as part of an SPO, including non-programme-based positive requirements. Where a programme-based positive requirement is imposed, providers may support this process by sharing information regarding attendance, engagement and any concerns that arise during delivery of the intervention. Police should consider this information, alongside any other relevant information, when assessing compliance and determining whether any action is required.

Examples of possible positive requirements:
The conditions of the order could include positive requirements to:

- attend an assessment of suitability for treatment;
- attend an appropriate perpetrator intervention programme;
- attend a mental health assessment;
- attend a drugs and alcohol programme;
- surrender devices;
- inform the police of any new or emerging intimate relationships for the purposes of allowing a disclosure under the Domestic Violence Disclosure Scheme;
- provide the police with access to social media accounts, mobile phones, computers, tablets and passwords/codes; and/or
- sign on at a police station.

Programme-based requirements

104. Programme-based requirements are intended to address factors associated with the perpetrator's stalking behaviour and reduce the risk of further stalking. Depending on the circumstances of the case, this may include participation in a perpetrator behaviour change programme, mental health intervention, or treatment intervention focusing on the management of problematic drug or alcohol use.

105. When considering whether a programme-based requirement is appropriate, the police should consider the factors contributing to the perpetrator's stalking behaviour and whether a suitable intervention is available. Any proposed intervention should contribute to the protection of the victim and reducing the risk of further stalking. Engagement with other agencies on deciding whether a programme is appropriate or not in the application is encouraged.

106. Programme-based requirements should be delivered by suitable and appropriately qualified providers. Where the requirement relates to a stalking perpetrator programme, police should have regard to the Home Office's Standards for Stalking and Domestic Abuse Perpetrator Interventions when identifying an appropriate provider. Police should engage with local providers at an early stage to identify suitable interventions and providers

107. When proposing a programme-based requirement, the police should consider the impact on the victim and any associated safeguarding needs. The safety of the victim must be a primary consideration when proposing and implementing any requirement. Police should also consider whether the victim requires access to specialist support services and ensure appropriate referrals are offered where necessary.

108. Where appropriate, police should work with relevant partners, including through existing multi-agency forums, to inform consideration of a perpetrator's needs, risks and the suitability of available interventions. Local arrangements will vary, but forces should draw on relevant multi-agency expertise and existing structures where available to support consistent and informed decision-making.

109. Where it is known that the victim is receiving support from the same organisation that delivers a programme or intervention, consideration should be given to ensure that there are separate practitioners working with the perpetrator and victim and in separate premises. Where this is unavoidable, appropriate safeguarding measures should be put in place.

3.8 Safeguarding a child or young person under the age of 18

110. Persons under the age of 18 can be **protected** by an SPO. The police have a duty to have regard to the need to safeguard and promote the welfare of a child or a young person when exercising their functions. In all investigations the principle that the welfare of the child is paramount should be observed. See Working together to safeguard children - GOV.UK for statutory guidance on safeguarding children.

3.9 Applying for an order against a child or young person under the age of 18

111. Persons under the age of 18 can be a **respondent** to an order. Children and young people aged from 10 years old up to their 18th birthday, who are respondents to an order, will be subject to the same procedure as adults, but their applications will be dealt with similarly by the youth courts. Part 3 of the Children and Young Persons Act 1933 applies to children and young persons in such summary proceedings in youth courts and magistrates' courts.

112. Under section 34A of the 1933 Act, the court must in relation to a child under 16 (or may otherwise in any other case) require the attendance of a parent or guardian (which may include the local authority social services department), except in limited circumstances. **Every effort should be made in advance of a hearing to ensure a parent or guardian attends, so that the court does not need to require it.**

113. When applying for a Stalking Protection Order when a young person is the respondent, the following principles should apply:

- That there is early consultation with and participation of the Youth Offending Service (YOS) in the application process where relevant. The application should be supported by a record of the contact with the YOS, identifying that their views about the order have been sought.
- That the nature and extent of any support required is based on a structured assessment that takes into account the needs of the young person and the imminent risk, for example of psychosocial damage.
- That the welfare of the child or young person is the paramount consideration, in line with local safeguarding procedures.
- That the requirements of all other orders and sentences that may already be in existence are taken into account to ensure that any requirements made by these orders do not restrict a young person's ability to complete other current orders or sentences, and the combined burden of requirements is taken into account to ensure the young person has the capacity to comply.

114. Section 11 of the Children Act 2004 requires the police to ensure they promote the welfare of and safeguard children when carrying out their duties, and the 'no order' principle (that alternatives to an order should be considered first) set out in section 1(5) of the 1989 Act should apply in all cases.

Chapter 4 - Stalking Protection Orders made directly at the end of criminal proceedings

115. **The availability of SPOs at the conclusion of criminal proceedings should not prevent police from considering whether earlier protective action is required.** Officers should consider at the earliest opportunity which protective measures are necessary and appropriate to manage risk and safeguard victims, including the use of a standalone SPO application where the criteria are met.

116. There are specific circumstances set out in the 2019 Act and the Sentencing Code where an SPO can be made directly at the end of criminal proceedings:

- Where the perpetrator has been **convicted** of any offence, the court dealing with the perpetrator for that offence may (as well as sentencing the perpetrator or dealing with the perpetrator in any other way) issue a SPO against the perpetrator (Sentencing Code Part 11, Section 364B);
- Where a person is **acquitted** of any offence, the court may make a SPO against the person (Stalking Protection Act 2019 Section 2A);
- Where the defendant is not guilty by reason of insanity (Stalking Protection Act 2019 Section 2A(1)(c)(i)););
- Where the defendant is under a disability and has done the act charged against the defendant (Stalking Protection Act 2019, Section 2A(1)(c)(ii)); or
- Where the Crown Court allows a person's **appeal against a conviction** for any offence, the Crown Court may make a SPO against the person (Stalking Protection Act 2019, Section 2A (1)(b)).

117. Police and prosecutors should note that the defendant need not be before the court for a stalking offence for an SPO to be considered. The court may make a SPO at the conclusion of criminal proceedings for any offence where the statutory conditions are satisfied.

118. Where criminal proceedings are underway, the police should work closely with the CPS to consider whether the statutory conditions for a SPO may be met and whether the court should be invited to consider making an order at the conclusion of proceedings. The police should provide relevant evidence, risk assessments and recommendations regarding any prohibitions or positive requirements that may be necessary to protect the victim or any other person.

119. There are two potential routes by which a SPO may be made at the conclusion of criminal proceedings:

- **Where the prosecution proposes a SPO**, the CPS should serve notice on the defendant and the court in accordance with the applicable court rules, including a draft order. The police should support this process by providing evidence, risk assessments and recommendations regarding the proposed terms of the order.

- **Where the court is considering making a SPO of its own initiative**, it should give notice to the defendant and may seek assistance from the CPS regarding the appropriateness and proposed terms of any order. The CPS may in turn seek input from the police and relevant specialist services, including ISA/Cs, to inform the court's consideration.

120. There are two potential routes for an order being made:

- **If the police or prosecutors wish the court to consider making a SPO** at the end of the criminal proceedings, they must serve notice on the defendant and the court in advance with a draft order. In such cases, the police must work closely with the Crown Prosecution Service (CPS) on the development of the draft order and providing any recommendations.
- **If the court wishes to make a SPO of its own volition at the end of criminal proceedings**, it should give notice to the defendant and may seek the assistance of the CPS, and through them, the police and relevant specialist services including ISA/Cs, as to the terms.

121. Where a SPO is sought on conviction, the police should liaise with the local Probation Service to establish whether a Pre-Sentence Report has been requested and whether programme-based requirements are being considered. The CPS should remind the court to consider whether programme-based interventions are best delivered through the SPO or through requirements attached to a community order or suspended sentence, thereby avoiding unnecessary duplication. Where a SPO is sought on conviction or acquittal and a programme-based requirement is considered appropriate, ordinarily the defendant should be required to be in attendance at only one programme at any time. Where an SPO is made on conviction, it may be appropriate for an intervention to be delivered through a community sentence or HMPPS licence conditions, where available. The most appropriate route and interventions should be determined through professional judgement based on a detailed risk assessment, having regard to the circumstances of the case and the need to avoid unnecessary duplication of interventions.

Chapter 5 – Service and management of Stalking Protection Orders including breaches

5.1 Serving an SPO

122. Following the making of an SPO or interim SPO, the court is responsible for ensuring that the order is served on the respondent as soon as reasonably practicable. Where the order arises from a police application, service should be carried out in accordance with rule 115 of the Magistrates' Courts Rules 1981. Where the order is made in criminal proceedings, service should be carried out in accordance with the applicable provisions of the Criminal Procedure Rules.

123. Service may be effected by any method permitted by the relevant court rules. This may include personal service, service by post, or any other authorised method. The method used will depend on the circumstances of the case and the arrangements in place within the court.

124. Where the respondent is present when the order is made, a copy may be provided to them at court where practicable. However, officers should note that orders may also be served after the hearing in accordance with the relevant court rules. The fact that a respondent was present when the order was made does not remove the requirement for service to be effected in accordance with those rules.

125. Where the respondent is a child or young person, consideration should be given to providing a copy of the order to a parent, guardian or other person with parental responsibility, where appropriate and consistent with the court's directions.

126. Following service of the order on the respondent, copies should also be provided to the police and any other relevant agencies or individuals with responsibility for monitoring compliance, managing risk or safeguarding the victim. Police forces should ensure that details of the order, including all prohibitions, positive requirements and relevant dates, are promptly recorded on relevant systems to support enforcement and risk management.

127. The order should be accompanied by written information explaining:

- the right of appeal;
- any notification requirements that apply;
- that, without reasonable excuse, breach of any prohibition or requirement contained in the order is a criminal offence; and

- that, without reasonable excuse, failure to comply with notification requirements, or knowingly providing false notification details, is a criminal offence.

5.2 Registering an SPO

128. Once an SPO has been made it will need to be recorded on the Police National Computer (PNC) by including the order on the Operational Information page of a PNC record. This will include the dates the order was issued and the expiry date, individual force owners and reference numbers. Any conditions that are imposed as part of the order can also be added to the PNC entry. This will enable all users of PNC who need to view the associated record to see the information in respect of the order being issued and those conditions attached.

129. Throughout the process of applying for an SPO and during an SPO being in place police should consider whether a respondent also meets the criteria for being a Potentially Dangerous Person and therefore should be included on the Dangerous Persons Database (ViSOR).

130. There are additional risk factors which should be taken into consideration when managing the subject of an order, for example, the respondent's access to legal firearms, competency with firearms/weaponry, mental health difficulties, substance misuse etc. Investigators should conduct such enquiries as are necessary to identify any additional risk factors and should include a plan of actions to mitigate the risks including the removal of access to firearms where appropriate. Please refer to the College of Policing's guidance on information management for more information.

5.3 Management and monitoring of SPOs

131. The making of an SPO (either by police application or directly on conviction or acquittal) is not the end of the risk management process. Effective management, monitoring and enforcement of the order are essential to ensuring that the protections afforded by the order remain effective and that any escalation in risk is identified and addressed promptly.

132. Responsibility for managing an SPO should form part of wider safeguarding, perpetrator management and risk management arrangements. Police should maintain appropriate oversight of the order throughout its duration and continue to assess and respond to changes in risk.

133. Police should consider the following overarching principles:

- **Ongoing risk assessment** - Any new incidents, intelligence, disclosures or safeguarding concerns should be considered promptly and risk assessments updated as appropriate.
- **Victim engagement** - Where appropriate, police should maintain engagement with the victim throughout the lifetime of the order.
- **Monitoring compliance** - Police should have arrangements in place to monitor compliance with the prohibitions and requirements imposed by the order.
- **Responding to breaches** - Any suspected breach should be assessed promptly and appropriate enforcement action considered.
- **Reviewing the suitability of the order** - Officers should keep under review whether the terms of the order remain appropriate and effective.

134. Effective management of an SPO will often require information sharing and joint working between the police and other agencies. Police should consider whether active management through existing multi-agency arrangements, such as MARACs, MAPPA, or other local safeguarding forums, is appropriate based on the risks presented in the individual case.

Cross-force management and coordination

135. In some cases, the victim and respondent may reside in different police force areas. Clear arrangements should be established between the relevant forces regarding responsibility for victim safeguarding, intelligence development, monitoring compliance with the order and responding to suspected breaches.

136. Forces should not assume that responsibility for management of the order rests solely with the force that obtained the SPO. Where appropriate, officers should identify a lead contact within each force to facilitate information sharing and ensure that safeguarding concerns, breaches and significant developments are communicated promptly.

137. Where a respondent subject to an SPO relocates to another police force area, the force becoming responsible for the area in which the respondent resides should be informed as soon as practicable. Relevant information regarding the order, the underlying stalking behaviour, current risk assessment, safeguarding concerns and any history of non-compliance should be shared to support continuity of risk management.

138. Where a victim moves to another police force area, officers should ensure that relevant safeguarding information is shared with the receiving force, subject to any applicable information sharing requirements. Consideration should be given to whether the move alters the nature or level of risk, requires changes to the safety plan, or necessitates additional engagement with local safeguarding partners. Victims should be informed, where appropriate, which force has responsibility for

ongoing safeguarding activity and how they can report breaches or further stalking behaviour.

139. Where a perpetrator subject to a SPO is a serving member of the Armed Forces, police should consider whether any information-sharing arrangements are required with the relevant Service Police force, including where the perpetrator may be deployed or posted overseas, and whether any implications arise for the management or enforcement of the order.

5.4 Notification requirements

140. A person subject to an SPO (including an interim odder) must notify the police of their name(s) and their home address, within a period of 3 days from the date when the order is served. If the name used by or the address of the person changes during the duration of the order, they must notify the police within a 3-day period of that change.

141. The notification requirements in section 9 of the 2019 Act do not apply to a person who is already subject to notification requirements under Part 2 of the Sexual Offences Act 2003, although if the latter were to cease before the expiry of the Stalking Protection Order, section 9 would then apply, with the deadline for notification being 3 days after they cease to be subject to the 2003 Act.

142. A person whose home address is in England or Wales gives a notification by:

- attending at a police station in their local police area, and
- giving an oral notification to a police officer, or to any person authorised for the purpose by the officer in charge of the station.

143. The 2019 Act states that “home address” in relation to a person means the address of the person’s sole or main residence in the UK; or if the person has no such residence, the address or location of a place in the UK where the person can regularly be found and, if there is more than one such place, such of those places as the person may select.

144. A person who does not have a home address in England or Wales gives a notification by attending at a police station in the local police area in which the court which last made an SPO or an interim SPO in respect of the person is situated, and giving an oral notification to a police officer, or to any person authorised for the purpose by the officer in charge of the station.

145. Any notification provided to police must be acknowledged in writing and recorded, and in such form as the Secretary of State may direct.

146. To verify the identity of a person giving the notification the police can request to take the person's fingerprints and/or their photograph. The person giving the notification must allow the officer to do so.

147. A person who is subject to the notification requirements commits a criminal offence if, without reasonable excuse, they fail to comply with those requirements, or if they knowingly provide information that is false. The offence is triable either way. On summary conviction in England and Wales, the offender is liable to imprisonment and/or a fine; on conviction on indictment, the maximum penalty is **5 years' imprisonment**, a fine, or both. A failure to comply with the notification requirements is a continuing offence for as long as the required notification is not given. However, a person may not be prosecuted more than once in respect of the same failure to notify, although a subsequent failure to comply may constitute a new offence.

148. A person commits an offence on the day on which the person first fails without reasonable excuse to comply with the notification requirements under section 9 of the Stalking Protection Act 2019. An example of a reasonable excuse would be if the respondent is in prison, another form of custody or hospital. Where the PNC shows that the respondent was in custody throughout the notification period and therefore unable to attend a police station, the respondent shall not be arrested for breach of the notification requirements. When a person who is subject to an SPO while in prison is released from prison, the Prison Service should notify the police of the anticipated release date so that monitoring of the notification requirements for the respondent can be appropriately managed. The named victim in the SPO should also be notified.

149. Proceedings for this offence may be commenced in any court having jurisdiction in any place where the person charged with the offence resides or is found.

5.5 Breach of an SPO

150. A person who, without reasonable excuse, breaches an SPO or an interim SPO commits a criminal offence punishable by up to five years' imprisonment. Breaches represent an escalation in risk and must be dealt with swiftly. They should be considered in the wider context of the stalking behaviour and not as an isolated incident.

151. **The police should act swiftly when a breach has occurred and need to fully investigate the offence, as the victim may not be aware of the full extent of the breach and/or the stalking behaviour.** They should also consider whether the conduct constitutes any further or additional offences, including but not limited to a stalking offence.

152. Where a force becomes aware of a breach of an SPO within their force area, it should take appropriate action in response to that breach, regardless of where the

SPO was originally applied for or where the perpetrator resides. Where another force has responsibility for managing the SPO, relevant information regarding the suspected breach should be shared promptly to support effective risk management and safeguarding.

153. An arrest should be made at the first opportunity. It is important to be proactive, as any delay may (a) lead to a loss of the victim's confidence in the efficacy of the order; and (b) defeat the purpose of the order of preventing the stalker from causing further harm to the victim.

154. A delay in arresting suspects who breach SPOs may signal to the respondent that they will be permitted by the police to continue breaching the order and stalking their victim without action by police. This could increase the risk to the victim, particularly as the SPO itself may have been perceived by the stalker as a challenge to their control over the victim. An application for an SPO may itself therefore also be a trigger for escalation by the stalker.

155. **It is crucial that the police understand these risks and take urgent action in cases where orders are breached.** The onus should not be on the victim to ask the police to arrest the respondent when an SPO is breached; making an urgent arrest should be the standard response to breaches of SPOs. A case file should be prepared in a timely manner.

156. The specific offences of breaching an SPO depend on how the order was made and officers should ensure the correct offence is identified and recorded when investigating and charging a breach. The specific offences are:

- A breach of an SPO made following a police application (including an interim PO) is an offence under section 8 of the Stalking Protection Act 2019;
- A breach of an SPO made on conviction is an offence under section 364B of the Sentencing Code; and
- A breach of an SPO made on acquittal is an offence under section 8 of the Stalking Protection Act 2019.

157. All breach offences carry the same maximum penalties: A person guilty of an offence of breach of an SPO is liable on;

- summary conviction to imprisonment for a term not exceeding the general limit in the magistrates' court or a fine or both, or
- conviction on indictment, to imprisonment for a term not exceeding 5 years or to a fine or both.

158. In breach proceedings a copy of the original SPO or interim SPO, certified by the designated officer of the court at which it was made, is admissible as evidence of

its having been made. The weight attached to it will be the same as if it were presented orally at the breach proceedings.

159. **A single incident would be a breach of the order. Unlike with the stalking offences (sections 2a and 4a of the Protection from Harassment Act 1997), a pattern of behaviour is not required to breach an SPO.** A breach of the order may be used as bad character evidence in subsequent court proceedings for the original substantive offence.

160. Prosecutions for breaches will be conducted by the CPS. Cases will be reviewed in the normal way in accordance with the Code for Crown Prosecutors, and sufficient evidence will need to be gathered before breach proceedings are commenced. Prosecutors must review allegations of breach of orders to assess whether a prosecution should follow for any new offence as well as the breach of the order. It is likely that both breach of the order and any further offence should be charged (including a further incident of stalking) where there is supporting evidence.

161. Cases are triable either summarily in a magistrates' court or on indictment in the Crown Court. Any cases against children and young people will normally be heard in the youth court. The standard of proof for breach of an order will be the criminal standard i.e. 'beyond reasonable doubt'.

162. The 2019 Act extends to England and Wales only and the criminal offences of breach of an order under section 8, or failure to comply with notification requirements under section 11, do not have extraterritorial effect. In order for behaviour to constitute an offence in England and Wales the offending must contain a substantial connection to the jurisdiction.

Chapter 6 – Variation, renewal and discharge of an order or interim order

163. The police or the respondent can apply to an appropriate court for an order to vary, renew or discharge an SPO or interim SPO. The application is made by way of complaint to the court that made the original order. The police should therefore be mindful of where the original SPO was made when considering an application to vary, renew or discharge it. The below table explains what this means:

How/ where the original SPO was made	**Which court the application to vary, renew or discharge is made to**
Made by the magistrates' court	The magistrates' court that made the order (or any other magistrates' court acting in the local justice area in which that court acts).
Made by the Crown court	The Crown Court that made the order.
SPO made by a youth court and the respondent is under 18 at the time of the application to vary, renew or discharge.	The youth court that made the order (or any other youth court acting in the local justice area in which that court acts).
SPO made by a youth court and the respondent is over 18 at the time of the application to vary, renew or discharge.	Any magistrates' court acting in the local justice area in which the youth court that made the order acts.

164. The police should engage with the victim and any relevant specialist services, including ISA/Cs when making an application for the order to be varied, renewed or discharged and a new risk assessment should be completed.

165. When considering an application by the respondent to vary or discharge the order, police must consider the entirety of the pattern of offending and not just the respondent's behaviour during the order. A lack of reported breaches or compliance with a positive requirement are not indicative of a lack of necessity and may in fact be evidence that the order is working as a preventative measure. Police must also consider whether the respondent making repeated applications to vary or discharge the order could be an attempt to continue stalking behaviour towards the victim.

166. The court must hear from the respondent and any chief officer of police who wishes to be heard before making a decision they consider appropriate on an application to vary, renew or discharge an order.

167. The court cannot impose additional prohibitions and requirements on an order unless it is necessary to protect a person at risk. Nor can the court discharge an order before the end of the 2-year period without the consent of the respondent and the chief officer of police who applied for the order or, if different, the chief officer of police in the police area in which the respondent resides.

168. Copies of the order dismissing the application, the variation order, the order for renewal or the order for discharge should be given or sent by first class post to the respondent. If the order requires the respondent to comply with the notification requirements, copies should be sent to all persons who were given notice of the respondent's obligation to comply with the notification requirements.

Varying an SPO

169. Circumstances may change during the lifetime of an SPO or interim SPO. Police should keep the effectiveness and appropriateness of the order under review and consider whether an application to vary the order is necessary to ensure it continues to manage the risk posed by the respondent and protect the person at risk.

170. Officers should consider whether a variation is appropriate where:

- new information comes to light about the respondent's behaviour or the level of risk posed;
- the respondent's stalking behaviour changes in nature, frequency or severity;
- there is evidence that existing prohibitions or requirements are ineffective or insufficient to manage the identified risk;
- practical issues arise in enforcing, monitoring or complying with the order;
- the respondent's circumstances change in a way that affects the operation of the order (for example, a change of address, employment or educational arrangements);
- the victim's circumstances change and additional protective measures are required;
- existing conditions are no longer necessary or proportionate to the risk identified.

Renewing an SPO

171. Prior to the expiry of an SPO, police should consider whether the order remains necessary to protect the person at risk from stalking. This assessment should be informed by the current risk level and all relevant information gathered during the lifetime of the order.

172. A lack of reported incidents during the lifetime of an SPO should not automatically be interpreted as evidence that the risk has been removed. Officers should consider whether the absence of incidents may be attributable, in whole or in part, to the protective effect of the order itself.

173. Officers should consider whether an application for renewal is appropriate where:

- the respondent continues to pose a risk of stalking;
- intelligence or other information indicates a continuing fixation, obsession or pattern of behaviour associated with stalking;
- there have been breaches of the order or other concerning behaviours during its lifetime;
- the underlying risk factors that gave rise to the order remain present;
- the victim continues to require protection from the identified risk;
- the expiry of the order would create a gap in the management of the respondent or the safeguarding of the victim.

Discharging an SPO

174. Police should keep under review whether an SPO remains necessary and proportionate. Where the evidence indicates that the statutory criteria are no longer met, consideration should be given to applying for the order to be discharged.

175. Decisions relating to discharge should be informed by a current risk assessment and consideration of all available information, including any views provided by the victim and relevant partner agencies.

Chapter 7 – Appeals

176. A respondent can appeal to the court against:

- the making of an interim or substantive SPO;
- the making of an order to vary, renew or discharge an order, following an application by the police; or
- the refusal of the respondent's application to vary or discharge an order.

177. The chief officer of police who applied for the SPO, interim order or order to vary, renew or discharge can appeal to the relevant court against:

- the refusal to make an interim or substantive SPO;
- the refusal of the police's application to vary, renew or discharge an order; or
- the making of an order to vary, renew, or discharge an order, following an application made by the respondent.

178. Appeals against the above decisions in relation an SPO also depend on which court made the decision. The below table explains the process:

Which court made the decision	**Where the appeal is to be made**
Magistrates' Court	Crown Court
Youth Court	Crown Court
Crown Court	Court of Appeal

179. The principles outlined in Chapter 6 regarding engaging the victim and support services, conducting a risk assessment and considering whether repeated applications form a continuation of stalking behaviour also apply here.

180. At the hearing of an appeal, the relevant court may make such further orders as give effect to its determination of the appeal, including incidental or consequential orders.

181. Any order made by the relevant court on appeal shall be treated for the purpose of any later application for variation or discharge as if it were the court's order, unless it is an order directing that the application be reheard by the court.

Chapter 8 – Legal Aid

182. Information about available support should be provided to the victim in an accessible format and through a safe communication route. This is particularly important where a victim cannot safely receive correspondence at their home address, usual email account or usual telephone number.

183. Legal aid may be available to subjects of an SPO or interim SPO for the making, varying, discharging, renewing and appealing of the order, as well as in relation to proceedings for breach of an order or failure to comply with notification requirements. Criminal legal aid providers should submit an application for a representation order in the normal way. The application will be subject to the Interests of Justice' test and the relevant means testing. Where an application is refused, the applicant will be given written reasons for the refusal and details of the relevant appeal and review processes. For further details, see the guidance on the process for applying for legal aid.

Annex A – Understanding stalking

What is stalking?

There is no specific legal definition of stalking. However, the police and CPS have adopted the following description[footnote 5]: "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 in the victim."

Stalking may be carried out wholly or partly through online services, accounts, devices, data or connected technologies. Online and offline behaviours should be considered together when identifying stalking, assessing risk and considering the use of a Stalking Protection Order.

There is no such thing as a 'typical' stalking perpetrator or a 'typical' stalking victim. This crime disproportionately affects women and girls; however, it is important to recognise that men and boys may be victims too. Stalking affects people of all ages, and victims come from a wide range of backgrounds - stalking is not restricted to public figures and celebrities.

Perpetrators will vary in the motivations driving their behaviour, the types of behaviour they engage in, and what they hope to achieve from their pursuit of the victim. The relationship between the perpetrator and the victim, as well as the context in which the stalking behaviour takes place, can also vary significantly.

The perpetrator's behaviours may appear 'harmless' and may in themselves seem lawful, particularly if considered in isolation rather than as part of a pattern of behaviour.

However, these behaviours may amount to stalking depending on:

- the context of the behaviour;
- the motivations driving the behaviour; and
- the impact on the victim.

Examples of stalking behaviour

The Protection from Harassment Act 1997 includes the following non-exhaustive list of examples of 'acts or omissions associated with stalking':

- a. following a person,
- b. contacting, or attempting to contact, a person by any means,
- c. publishing any statement or other material—
    - i. relating or purporting to relate to a person, or
    - ii. purporting to originate from a person,
- d. monitoring the use by a person of the internet, email or any other form of electronic communication,
- e. loitering in any place (whether public or private),
- f. interfering with any property in the possession of a person,
- g. watching or spying on a person.

Other examples of behaviours which may amount to stalking depending on the context of the behaviour, the motivations driving the behaviour, and the impact on the victim include but are not limited to:

- Contacting the victim's children, partner, other family members, friends, co-workers or other third parties.
- Stalking by proxy (stalking people connected to the 'primary' victim).
- Sending unsolicited gifts or other items to the victim.
- Hacking the victim's social media accounts, email, phone or computer.
- Using multiple social media accounts, email addresses or phone numbers to contact the victim, which may include the use of aliases.
- Information gathering on the victim, such as by contacting third parties, searching public records, stealing private documents belonging to the victim or viewing them without the victim's knowledge.
- Impersonating the victim in order to gather information about them.
- Bringing vexatious litigation or making vexatious counter-allegations against the victim, or otherwise using official processes to perpetuate contact with the victim, cause them distress or drain their resources.
- Cancelling or procuring goods or services to the victim.
- Joining the same gym, church, medical practice, educational course, workplace, sports club or other group as the victim.
- Criminal damage or breaking in to the victim's home, garden or vehicle.
- Creating or exploiting disputes between the victim and their friends, family or wider support network, to isolate the victim and make them dependent on the perpetrator.
- Creating social media posts or websites containing malicious or personal content relating to the victim, or referencing things which would have meaning only to the victim.
- Threatening violence against the victim, or actually attacking them.
- Monitoring the victim by planting tracking or bugging devices, or by installing or activating a programme or application on the victim's personal devices.
- Publishing or threatening to publish personal information or images relating to the victim (so called 'revenge porn', or 'doxing').
- Threatening suicide or self-harm, or otherwise manipulating the victim to respond to contact.
- In the case of former intimate partners, carrying out a campaign of economic abuse (for example, seeking to control their access to money, employment, food or other essential resources).

The perpetrator can exhibit a combination of any of the above behaviours which the victim may or may not be aware of. These behaviours may be carried out online, or using specific technology, or may be otherwise 'digitally-enabled'. There may be a combination of online and offline behaviours.

Motivations and behaviours driving stalking

Motivation is a defining factor in the identification of stalking, and what sets stalking apart from other harmful behaviours and crime types.

To understand the level of risk the perpetrator's motivations have on a victim, the police could consider the five stalker types:

- Rejected
- Intimacy-seeking
- Incompetent
- Resentful
- Predatory[footnote 6]

More detail can be found at these links: https://www.stalkingriskprofile.com/what-is-stalking/types-of-stalking / https://safeguardinghub.co.uk/stalking-the-five-motivation-types/. This is not the only recognised source of information about types of stalking.
The motivation(s) driving the perpetrator's behaviour may change over the period of victimisation.

Even though the actual behaviours exhibited may vary between perpetrators, these behaviours will often share a consistent set of characteristics. Consider the stalking acronym FOUR. Are the behaviours Fixated, Obsessive, Unwanted and Repeated[footnote 7]?

Stalking perpetrators can be particularly adept at exploiting professionals, agencies and systems and may use a range of tactics in order to perpetuate contact with and control over the victim, including:

- Deliberately targeting people who might be vulnerable.
- Manipulating a person's mental health (for example, making them think that they are 'going mad').
- Causing or creating vexation, or using the system against the victim by making false or vexatious allegations.
- Making counter-allegations against the victim e.g. calling in false reports or claiming to be a victim of the stalking behaviour of the actual victim.
- Attempting to frustrate or interfere with the police investigation.
- Using threats in order to manipulate the victim. For example, by telling the victim that they will make a counter-allegation against them; that the victim will not be believed by the police or other agencies; that they will inform social services; or that they will inform immigration officials where the victim does not have permission to be in the UK.

Police should examine whether any of the behaviours described above have been a feature in previous relationships where the perpetrator is a former intimate partner.

In light of the overlap between stalking and domestic abuse, police may refer to the College of Policing Authorised Professional Practice on investigating domestic abuse, which states that "A manipulative perpetrator may be trying to draw the police into colluding with their coercive control of the victim. Police officers must avoid playing into the primary perpetrator's hands and take account of all available evidence." Stalking perpetrators may also use these tactics to manipulate the courts and other criminal justice agencies.

For further guidance on assessing credibility and understanding perpetrator tactics, see table 1 of the CPS Toolkit for Prosecutors on Violence Against Women and Girls Cases Involving a Vulnerable Victim.

Impact of stalking behaviour

Being stalked can adversely affect all aspects of the victim's daily life, as well as their physical and mental health. The impacts of stalking can vary in each circumstance and can be severe and long lasting. They can continue to affect the victim after the period of direct victimisation has ended due to the cumulative effect of the ongoing unwanted behaviour.

Victims of stalking may experience:

- Feelings of helplessness, isolation, anger and distrust
- Sleep disturbance/ insomnia
- Stress-related symptoms
- Symptoms of anxiety
- Symptoms of depression
- Symptoms of Post-Traumatic Stress Disorder (PTSD)
- The exacerbation of existing health conditions
- Adverse health impacts as a result of increased use of drugs, alcohol or cigarettes to cope with their situation.[footnote 8]

Being stalked may force the victim and their family and friends to make significant changes to their daily activities, including but not limited to:

- Deleting or stopping using social media accounts.
- Changing their phone number.
- Buying new personal devices.
- Carrying a personal attack alarm.
- Changing their usual travel times or routes.
- Changing their mode of transport or buying a new vehicle.
- Changing their working pattern.
- Stopping regular activities such as socialising, exercising, walking pets or shopping, or doing these at different times or locations.
- Not leaving their home, or not leaving their home without being accompanied.
- Taking sick leave from work.
- Changing the locks in their home.
- Installing security equipment in their home, such as cameras, alarms or lights.
- Moving their children to a different school.
- Leaving their job.
- Ending a relationship with a partner.
- Moving house or living elsewhere temporarily.
- Stopping or reducing use of social media
- Repeatedly changing passwords, numbers, email addresses or usernames; -
- Replacing devices or internet equipment
- Losing access to accounts, contacts, photographs or documents
- Avoiding online banking, healthcare, work or education systems
- Withdrawing from online support networks
- Disabling location, communication or accessibility features
- Being unable to use smart-home or security technology safely
- Incurring costs for replacement technology or specialist assistance
- Changing work, education or social arrangements because digital activity may reveal their location.

Equally, the victim may decide that they do not want to or should not have to make changes to their own life because of the stalker's behaviour.

Fear of serious harm or death does not have to be present for the perpetrator's behaviour to amount to stalking, or for the victim to make significant changes to their daily activities. See sections 2A and 4A of the Protection from Harassment Act 1997.

The impacts outlined above may adversely affect the victim's ability to socialise, maintain their support network or form relationships, which can significantly increase isolation and vulnerability to further victimisation. Some of the impacts can lead to financial instability due to loss of income or costs incurred by the victim, including legal costs.

All the impacts outlined above can also indirectly affect the victim's partner, children, wider family members, friends or co-workers.

Working with victims

On average victims may suffer up to 100 incidents of stalking before reporting to the police. This may be due to:

- feeling they may be overreacting and won't be taken seriously
- not realising that it is a case of stalking and the risk that they face
- a past experience resulting in a fear or dislike of the police

- lack of faith in the criminal justice system
- threats or fear of repercussions from the stalker
- not wanting to make matters worse if they call the police
- not being sure if the police can help.[footnote 9]

It is therefore crucial that, when victims do go to the police, their cases are recognised as stalking and dealt with and investigated appropriately. Police should consider the victim's individual support needs and offer referral, with informed consent, to appropriate specialist services. Depending on the circumstances, this may include stalking advocacy, domestic abuse support, specialist cyber victim support, legal advice or another relevant service.

Factors for consideration

Women are predominantly the victims and men the perpetrators of stalking in ex-intimate partner cases (the group identified as the 'rejected' typology). These victims may also have previously been subjected to domestic abuse, but not in every case and the lack of previous abuse is not a protective indicator. For the other stalking typologies, the gender split is less clear and needs more research. It is the case that there are both female and male victims and underreporting is an issue across the board. Lack of recognition by law enforcement and professionals can also impact the accurate reporting of stalking offences. What the research does indicate is that risk of violent behaviour is linked more to the ex-intimate partner who engages in stalking behaviour. The risk of psychological harm spans all typologies of stalking, and is significant.[footnote 10]

Freedom from violence and abuse is explicitly recognised in international law with respect to both human rights and gender. Violence against women and girls (VAWG) is recognised worldwide, and by the UK Government, as a form of offending where gender plays a part. Where appropriate, links with other VAWG topics should be made, such as those referred to later in this annex, as well as child abuse, crimes against the older person, pornography, human trafficking and prostitution.

Understanding victim behaviours

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. This does not mean that the victim is being 'uncooperative' – they are behaving in a way which they believe will keep them safe. It is important to understand that victims' levels of resilience vary.

It is crucial to engage with the victim in order to understand what measures they are taking to keep themselves safe and why.

The police might consider the reasons as to why a victim may not want to start and/or continue criminal investigations. While it is ultimately for the police to decide if a criminal investigation takes place, the police should seek to explain the merits of pursuing a prosecution and should seek to reassure the victim about their concerns. If the victim remains of the same view, the police should proceed with a Stalking Protection Order. The police should make the victim aware that a breach of a Stalking Protection Order is a criminal offence and therefore it would result in criminal proceedings. However, the police should advise the victim not to develop a false sense of security just because an order is in place. Stalking Protection Orders should never be used instead of a prosecution when a prosecution is a viable option.

Collecting and preserving evidence

It is essential to gather appropriate evidence to investigate a case fully and to understand the behaviours of the stalker. To do so, police officers should provide guidance for victims on how they can collect and preserve evidence, especially electronic evidence.

The following guidance should be provided for victims:

- Use the following link for use by victims https://www.suzylamplugh.org/forms/how-to-record-incidents-and-collect-evidence-leaflet
- Victims should not tamper with or dispose of a mobile phone or its SIM card without first consulting the investigating officer.
- Keep any stored messages, including text messages, or telephone numbers that have been received on a mobile phone or caller ID unit.
- Compile a journal that is a chronological summary of events.
- Keep originals in a safe place and a copy of everything in another location.
- Take pictures of and/or keep unwanted gifts.

Stalking support services

As police and community safety officers take appropriate action against the respondent and offer supportive action for the victim, consideration must be given towards -

- NHS treatment referrals or health and well-being support via social prescribing from a GP
- Access to selected community and advocacy support services.

It is also important to consider referring victims to specialist support services. Please see Annex B.

Annex B – Stalking support services

- National Stalking Helpline (operated by the Suzy Lamplugh Trust), 0808 802 0300
- Suzy Lamplugh Trust
- Paladin National Stalking Advocacy Service, 020 3866 4107
- Action Against Stalking
- Alice Ruggles Trust
- Women's Aid Directory - Women's Aid
- Home : Welsh Women's Aid
- Freephone National Domestic Abuse Helpline (operated by Refuge), 0808 2000 247
- Supportline, 01708 765200
- Victim Support, 0808 1689111
- Domestic abuse: how to get help - GOV.UK

Annex C – Further guidance on stalking

- Independent Stalking Advocate Statutory Guidance - GOV.UK
- Stalking or harassment | College of Policing
- NPCC / CPS (2018) Protocol on the appropriate handling of stalking offences (see link under 'Introduction')
- CPS legal guidance on stalking and harassment

Other relevant guidance

- Controlling or coercive behaviour: statutory guidance framework - GOV.UKDomestic Abuse: statutory guidance (accessible version) - GOV.UK
- CPS Toolkit for Prosecutors on Violence Against Women and Girls Cases Involving a Vulnerable Victim
- College of Policing Authorised Professional Practice on investigating domestic abuse
- Independent Domestic Violence Adviser Statutory Guidance - GOV.UK
- Independent Sexual Violence Adviser Statutory Guidance - GOV.UK

Footnotes in annexes:

5. This is based on a description developed by Paladin, the National Stalking Advocacy Service, to increase understanding of stalking. ↩
6. Mullen PE, Pathé M, Purcell R., "Stalkers and their victims", Cambridge University Press, 2000. ↩
7. College of Policing (2019) Stalking and Harassment Guidance ↩
8. MacKenzie, McEwan, Pathé, James, Ogloff, & Mullen, 2011. ↩
9. Dr Lorraine Sheridan (2005) ↩
10. McEwan, T., Mullen, P.E., & Purcell, R. (2007) Identifying risk factors in stalking: a review of current research. International Journal of Law and Psychiatry, 30,1-9 ↩