Home Office

UK Government Response to the Independent Review of Stalking Legislation

26 November 2026

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Minister for Safeguarding and Violence Against Women and Girls Foreword



Stalking is a uniquely intrusive, persistent and debilitating crime that can rob victims of their sense of safety and freedom. It is far more prevalent than many people realise. The latest estimates suggest that around 1.9 million people (3.9%) aged 16 and over experienced stalking in the year ending March 2026. Behind these statistics are real people whose daily lives have been disrupted. Speaking with survivors about their experiences, I have heard all too often how the consequences are life-changing and continue long after the stalking behaviour stops.

Tragically, lives have been lost because warning signs were missed and opportunities to intervene were not taken. We remember Alice Ruggles, whose family have campaigned to improve the response to stalking through the Trust in her name. That is why there is a particular significance in this review having been led by Richard Wright KC, who prosecuted Alice's case and has helped ensure that the lessons arising from it continue to inform efforts to improve protections for stalking victims.

While important progress has been made since stalking became a specific criminal offence in 2012, we know too many victims continue to face inconsistent experiences. This was highlighted in the super-complaint on the police response to stalking and I thank the Suzy Lamplugh Trust for submitting it on behalf of the National Stalking Consortium. Investigated by His Majesty's Inspectorate of Constabulary and Fire & Rescue Services, the Independent Office for Police Conduct and the College of Policing, the super-complaint found that stalking was too often misunderstood and inadequately responded to by policing, highlighting concerns that the law itself could be difficult to navigate and apply in practice. In its response, the Government committed to commissioning an independent review of stalking legislation to ensure that the legal framework remains fit for purpose and provides effective protection for victims.

I am grateful to Richard Wright KC and his team for leading this important work. Richard brought extensive criminal justice expertise to the review, as well as a deep understanding of the impact of stalking, having prosecuted Alice's case. Guided by the Terms of Reference published by the Government, the review focused primarily on the stalking offences contained within the Protection from Harassment Act 1997, while also considering the interaction between stalking and other offences, including harassment and coercive or controlling behaviour. While outside the review's formal scope, the implications of any legislative reform on the operation of Staking Protection Orders were considered.

Richard’s final report summarised his findings with four recommendations for the Government. These recommendations are underpinned by three clear themes: the need for a simpler legislative framework; the need to ensure that the legislation properly reflects victims' experiences; and the importance of retaining stalking's distinctive character as a course of conduct offence. In responding to these recommendations, we have drawn on expertise from across government, policing, criminal justice agencies and specialist services. The Government has approached legislative reform with appropriate care. We have carefully considered the consequences of both action and inaction, recognising that changes to the law can create both risks and opportunities. Where the objectives identified by the review can be achieved through operational, policy or guidance changes, we have considered those options.

We intend to legislate as soon as Parliamentary time allows, but we must not lose sight of the fact that substantial improvements can, and should, be delivered now. The law already provides significant tools to tackle stalking, and we expect those powers to be used effectively and consistently while this legislative reform is being pursued. Police forces should continue to prioritise the early identification of stalking behaviours, robust management of risk and timely intervention to prevent escalation. This response is not the end of the conversation. It is an important step in our wider effort to transform the way stalking is understood and tackled as part of the Government’s mission to halve violence against women and girls (VAWG) in a decade. By improving how agencies identify risk and strengthening protections, we can deliver better outcomes for victims and prevent future harm. That remains this Government's enduring commitment.

Satvir Kaur MP
Minister for Safeguarding and VAWG

Introduction

1. The Suzy Lamplugh Trust, on behalf of the National Stalking Consortium which they convene, published a super-complaint into the police's handling of stalking cases on 25 November 2022. This was investigated by the Independent Office for Police Conduct (IOPC), His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) and the College of Policing. On 27 September 2024, the investigating bodies published a report outlining their findings. This included a recommendation for the Home Office to change the law on stalking. The Government responded by committing to reviewing the stalking legislation.

2. In November 2025, the Home Secretary appointed Richard Wright KC to lead an independent review to consider whether the criminal law on stalking needs to change to ensure the police and wider criminal justice partners have the clearest possible framework for effective identification, management and prosecution of stalking cases.

3. A Terms of Reference[1] was published setting out that the Review would consider:
    a. Whether the legislation sufficiently defines and addresses stalking behaviour and whether it is possible to clearly delineate between stalking and harassment behaviours, particularly in terms of the drafting of criminal offences.
    b. Whether the interaction with harassment legislation makes for a coherent and effective legal framework.
    c. The impact of new and emerging technology and whether the current legal framework can deal with stalking behaviours facilitated by technology.

4. Richard Wright KC brought together a review team comprising three barristers who conducted research on alternative legislative frameworks across the UK, engaged with stakeholders across the criminal justice system and specialist stalking sector and invited contributions from the public. The review team developed and tested a suite of options for legislative reform to determine the Review's recommendations. The final review report was submitted to the Home Secretary in March 2026, and it has been published and laid in Parliament in parallel with this Government response on **26 November 2026**.

5. The Government welcomes the Review, which makes four recommendations, and is grateful to Richard Wright KC and the review team for the considered and detailed work undertaken. The Government accepts or partially accepts most of the recommendations made by the Review.

[1] https://www.gov.uk/government/publications/stalking-legislation-review-terms-of-reference/stalking-legislation-review-terms-of-reference

Government Response

Recommendation 1

> A comprehensive review of all offences and protective orders in the sphere of interpersonal abuse should be undertaken. The aim of such a review should be to promote clear and consistent legislation which aligns with the government's strategy for tackling interpersonal abuse. A single statute containing the offences of harassment, stalking and controlling or coercive behaviour and associated protective orders should be considered.

6. The Government agrees with the sentiment of this recommendation: there should be a coherent framework underpinning all violence against women and girls (VAWG) offences. However, there is already a programme of work under way on VAWG protective orders, and we consider there is therefore no need for a further, potentially lengthy or formal review. **For this reason, the Government rejects this recommendation.** However, in developing the legislative changes proposed in this Government response, we will concurrently review and analyse how they impact wider interpersonal abuse legislation considering any potential wider changes where appropriate.

7. Published in December 2025, the 'Freedom from violence and abuse: a cross-government strategy'[2] set out the Government's vision and actions for meeting our ambition to halve VAWG in a decade. This includes commitments to improve the criminal justice system response to VAWG crimes including protection orders. We are:
    a. introducing strengthened training and capability-building across policing to improve identification, investigation and management of VAWG offences;
    b. increasing use of tools to monitor and manage high-risk offenders, including those involved in domestic abuse, stalking and sexual violence;
    c. improving sentencing and offender management through enhanced training for criminal justice practitioners;
    d. improving police and criminal justice system's use of VAWG protection orders, including improving data collection and publication, enhancing police systems for recording and managing orders, strengthening application processes, and bolstering enforcement and monitoring;
    e. improving the function of Stalking Protection Orders (SPOs) to ensure that they are used effectively and at the earliest opportunity.

[2] https://www.gov.uk/government/publications/freedom-from-violence-and-abuse-a-cross-government-strategy

Recommendation 2

> A single standalone offence of stalking should be introduced which is triable either-way.

8. The Government agrees that the current legislative framework of two offences adds unnecessary complexity to a complex crime type and that there can be confusion amongst the police and prosecutors over which offence to apply. This was reinforced in the investigation into the super-complaint on the police handling of stalking cases[3] which found evidence that:
    a. in the cases they reviewed, three in 20 stalking crimes were incorrectly recorded as other offences such as harassment;
    b. officers struggled to distinguish between the two stalking offences, and this was leading to poor identification of stalking and poor data recording;
    c. there was confusion over when to use the section 4a offence; and,
    d. stakeholders repeatedly described the law as unclear specifically in relation to a lack of legal definition.

9. Introducing a single standalone offence would simplify the legal framework and enable operational agencies to focus on whether conduct amounted to stalking or not rather than on whether it was stalking and then which of the two overlapping stalking offences applies. It would also allow the judiciary to determine the seriousness of the offending through a judgement of culpability and harm. **The Government therefore accepts this recommendation and will legislate as soon as parliamentary time allows to introduce a single standalone offence of stalking which is triable either-way.**

[3] https://hmicfrs.justiceinspectorates.gov.uk/publication-html/police-response-to-stalking/

Recommendation 3

The new standalone offence of stalking should have the following features:

- A maximum penalty of 14 years' imprisonment
- A clause which protects the stoic victim and the unaware victim
- A victim specific context clause
- A clause that means it can be committed by either a course of conduct or the continuation of a course of conduct
- A clause that means the offence can be committed either intentionally or in circumstances where an offender knows or ought to know in all the circumstances the likely effect of their conduct
- A clause that requires the actual or likely effect on the victim to have been fear, alarm or substantial distress
- A clause that retains the statutory defences contained within section 1(3) of the Protection from Harassment Act 1997
- A specific provision for extra-territorial jurisdiction

10. The Government thanks the Review team for the careful consideration of each of these potential elements of a new standalone offence. We have reviewed each one to determine whether to take it forward.

11. In response to recommendation 2, we have committed to legislating as soon as parliamentary time allows to introduce a new standalone stalking offence. **The Government agrees that the new standalone stalking offence should include certain features and will explore them in the development of the new standalone offence.**

12. Through the development of the new offence, we will explore these elements suggested by the review:
    a. A reasonable person test to protect the stoic or unaware victim;
    b. Consideration of the victim's context and circumstances when determining that reasonableness;
    c. A clause that means the offence can be committed either intentionally or in circumstances where an offender knows or ought to know in all the circumstances the likely effect of their conduct;
    d. A clause that requires the actual or likely effect on the victim to have been fear, alarm or substantial distress;
    e. A clause that retains the statutory defences contained within section 1(3) of the Protection from Harassment Act 1997; and,
    f. A specific provision for extra-territorial jurisdiction.

13. A key aim of the Review was to create a clearer distinction between stalking and harassment following evidence that there can be confusion between these offences and the behaviours that constitute them. However, the proposed legislative reforms would only differentiate the new standalone offence and the existing section 2 offence by harm. This would result in a situation where the same behaviour such as repeated

and unwanted contact could be stalking only based on the harm to the victim (fear, alarm or substantial distress).

14. Therefore, it is the Government's view that the new standalone offence must consider further defining stalking to make a clearer distinction. **The Government commits to exploring this during the development of the new offence.**

Maximum Penalty

15. The Government recognises that stalking is a serious offence frequently associated with elevated risk and harm to the victim. The maximum sentence for the existing stalking offences was reviewed and the penalty for the section 4a offence was increased in 2017 from 5 to 10 years' imprisonment.

16. In the year ending March 2026, the average sentence length for all stalking offences was 14.6 months and for the 4a offence was 18.6 months. This suggests that the full breadth of the current sentencing range is not currently being used and we have heard no evidence from judges that they require a higher maximum sentence.

17. We consider the sentence range for stalking to be higher or in line with similar types of offending and are concerned that changes to the maximum penalty would impact the hate crime legislative framework in relation to aggravated offences in the Crime and Disorder Act 1998. **The Government will therefore retain the maximum sentence of 10 years' imprisonment for the new offence.**

Specific Provision for a Continued Course of Conduct

18. Stalking is characterised by repeat incidents that can escalate over time. Therefore, the Government agrees with the principle set out in this recommendation that the criminal justice system needs to be agile in responding to repeat incidents, especially post-conviction.

19. The Review proposes this is addressed through introducing a continued course of conduct provision. This would mean that, in a case where an individual was convicted of stalking, any single further incident of stalking towards the victim would automatically be considered another offence of stalking.

20. While this would allow any further incidents of stalking to be swiftly managed, it poses several challenges:
    a. There would be practical challenges such as determining a permissible gap between incidents and how spent convictions are factored in;
    b. There could be evidential challenges in proving a link between past and new conduct; and,
    c. It could attach new legal consequences to conduct that has already been prosecuted which would interfere with the overarching principle that conduct is

treated once by the criminal justice system.

21. **To achieve the same outcome of ensuring proper protections for victims, without these identified challenges, we will legislate as soon as parliamentary time allows to introduce a duty for the courts to consider an SPO on conviction or acquittal for the new stalking offence.** This will mean the courts have to consider on the balance of probabilities whether such an order is necessary to protect the victim from acts associated with stalking. As any breach of the conditions of the SPO is an automatic criminal offence, this will mean any further incidents of stalking will be treated swiftly, enabling courts to impose measures available to safeguard the victim.

Recommendation 4

> The new offence of stalking should contain in a schedule a non-exhaustive list of stalking conduct that can be amended by secondary legislation and which should be subject to regular review to ensure that it remains reflective of developments in technology and emerging trends in stalking related conduct.

22. The Government agrees with the spirit of this recommendation, but is conscious of the risk of such a list becoming out of date quickly, especially when considering emerging technologies.

23. **The Government therefore partially accepts this recommendation.** Given our commitment to explore how stalking can better be defined within the new stalking offence itself, we will instead include a non-exhaustive list of stalking behaviours in the new multi-agency statutory guidance on stalking which is being developed following the Crime and Policing Act 2026. This will allow maximum flexibility to respond to emerging evidence on the nature of stalking.

Comments on Wider Observations

24. The Government thanks Richard Wright KC and the Review Team for including a list of wider observations in the final report. These represent wider issues and challenges that were raised during the review and cover best practice, training, multi-agency working, crime recording, guidance for practitioners, sentencing guidelines and protective orders.

25. We have reviewed these and will consider them during the preparation for and implementation of the legislative changes the Government has committed to in this response.

Stalking Protection Notices

26. The current SPO framework includes provision for an interim SPO which is a temporary order that can be made by the court before the full SPO application has been finally determined. Its purpose is to provide immediate protection to the victim where there is an urgent risk, rather than waiting weeks or months for the full hearing.

27. We note the Review's observation that the Government could consider introducing stalking protection notices (SPNs). These would operate similarly to domestic abuse protection notices (DAPNs) where a chief officer of the police can directly issue a time-limited order that places immediate restrictions on the perpetrator for the purpose of safeguarding the victim. The police would then have a set period of time to apply for the full order.

28. The Government agrees that the strength of SPOs lies in their ability to safeguard the victim as early as possible. There is anecdotal evidence, including in the stalking super-complaint, of several barriers to this:
    a. The underuse of SPOs by the police;
    b. A lack of understanding by the police of when to use an SPO;
    c. Inconsistent processes within forces for SPOs, including incorrectly applying the criminal (beyond reasonable doubt) rather than civil (balance of probabilities) burden of proof when considering whether to apply for an order; and,
    d. Delays in both interim and full SPOs being heard by the court due to listing delays.

29. We have already taken steps to address some of these challenges. In the Crime and Policing Act 2026 we have clarified the civil burden of proof applies and given the courts the power to directly issue an SPO on conviction or acquittal without the police having first made an application. We are also providing £13.3m for VAWG protection order (including SPOs) sites in select forces. We will use the learning from these to develop an effective national operating model for all forces that drives up use of SPOs and improves how the police enforce conditions and monitor breaches.

30. However, **we will consider whether further measures are needed to ensure SPOs are as effective as possible.**

Vexatious applications to vary or discharge orders

31. The Review points to civil restraint orders (CRO) which aim to prevent abuse of the court process. Where a CRO is made, the court's permission is required before bringing further proceedings or applications. The Review suggests consideration is given to providing criminal courts with a power to require an additional procedural step in any application to vary or revoke a protective order by requiring the applicant (the perpetrator) to obtain the court's permission to bring the application. A victim would only need to be notified if the judge has granted permission for the application to be brought.

32. The Government acknowledges that stalking offenders can use the court process itself as a means of continuing to seek proximity to their victims. This can include repeated applications to vary or discharge protection orders. **We therefore commit to further exploring the suggestions raised in the final report.**

Conclusions and Next Steps

33. The Independent Review of Stalking Legislation has provided an opportunity to reflect on how the Government can enhance its legislation on stalking in England and Wales and ensure it is implemented effectively. The Government has accepted the majority of recommendations and is beginning work to implement these. For commitments that require primary legislation, the Government will bring this forward as soon as parliamentary time allows.

34. The Government thanks Richard Wright KC and the Review Team for the considered and detailed approach they have taken to the Review, which involved engaging with a range of stakeholders and the public.

Annex A: Summary of Richard Wright KC's final report and recommendations

Methodology

- Initial research - examined the background to the current law and reviewed alternative stalking legislation across the UK and internationally.
- Stakeholder engagement - conducted extensive engagement with key stakeholders through meetings, round tables, and written submissions.
- Public contributions - set up and publicised an email address for the public to submit views and considered all emails and observations received.
- Development and testing of reform options - created a series of legislative and policy reform options based on early engagement and critically tested these options with stakeholders in further rounds of engagement.
- Final report preparation - drafted the report after testing the options and submitted the report in final form directly to the Minister, without a draft stage.

Recommendations

- Recommendation 1 - a comprehensive review of all offences and protective orders in the sphere of interpersonal abuse should be undertaken. The aim of such a review should be to promote clear and consistent legislation which aligns with the government's strategy for tackling interpersonal abuse. A single statute containing the offences of harassment, stalking and controlling or coercive behaviour and associated protective orders should be considered.
- Recommendation 2 - a single standalone offence of stalking should be introduced which is triable either-way.
- Recommendation 3 - The new standalone offence of stalking should have the following features:
    - A maximum penalty of 14 years' imprisonment.
    - A clause which protects the stoic victim.
    - A clause which protects the unaware victim.
    - A victim specific context clause.
    - A clause that means it can be committed by either a course of conduct or the continuation of a course of conduct.
    - A clause that means the offence can be committed either intentionally or in circumstances where an offender knows or ought to know in all the circumstances the likely effect of their conduct.
    - A clause that requires the actual or likely effect on the victim to have been fear, alarm or substantial distress.

  - A clause that retains the statutory defences contained within section 1(3) of the Protection from Harassment Act 1997.
  - A specific provision for extra-territorial jurisdiction.
  - A non-exhaustive list of stalking conduct [see Recommendation 4].
- Recommendation 4 - The new offence of stalking should contain in a schedule a non-exhaustive list of stalking conduct that can be amended by secondary legislation and which should be subject to regular review to ensure that it remains reflective of developments in technology and emerging trends in stalking related conduct.

Wider Observations

- Mandating best practice for investigators – the review acknowledges that legislation alone is a blunt tool for driving improvements in the system. It advocates for a central national policing body having the power not only to advise, but to mandate a consistent investigative standard that must be applied to all stalking complaints by all 43 regional police forces in England and Wales. Absent that power to mandate a standard, the risk remains that the quality of the policing response will vary significantly based on nothing more than the geographical area in which an individual reports an offence.
- A multi-agency approach to interventions – the review states that a multi-agency approach requires a commitment to working together across a number of different organisations, including policing, the probation service, social services and the NHS. It suggests that those organisations free up the human resources needed and that funding is made available from a number of different government departments in addition to the Home Office.
- Education – the review highlights the need to support children and young people to recognise common stalking behaviours early-on. It suggests that consideration is given to including education on stalking behaviours, particularly in the context of the safe use of social media and online safety, in any education about healthy and respectful relationships.
- The national crime recording standard – the review commented that the Crime Recording Standard should be aligned as far as possible with investigative standards and charging guidance.
- CPS guidance – the review suggests that the CPS considers any new change to legislation as an opportunity to simplify and streamline the guidance to give effect to the legislative intention of parliament.
- Consistency in national guidance – the review observes that each element of that guidance needs to be consistent and aligned with the overall legislative intention.
- Sentencing guidelines – the review states that, should the law be changed as recommended, it will be a matter for the Sentencing Council to consider subsequent changes to the sentencing guidelines.
- Judicial college training – reflecting on the training delivered to the judiciary following the introduction of the non-fatal strangulation offence, the review suggests

there would be an opportunity for the Judicial College to consider a similar approach for stalking.

- Protective Orders – the review suggests better alignment between SPOs and DAPOs/DAPNs by introducing an SPN to allow SPOs to be imposed at the earliest opportunity. It also comments that interim SPOs should be made available to a criminal court upon charge. The review suggests consideration should be given to creating a presumption that on conviction the court must impose an SPO unless there is a good reason not to and to enabling a Civil Restraint Order to be made as a component of an SPO.
- Vexatious applications – the review found evidence of stalkers using both the protective order varying/discharging process and the family/civil courts to continue to stalk and control the victim. It suggests better use of Civil Restraint Orders in these cases to prevent repeat vexatious claims. The review also considers whether criminal courts should have the power to require an additional procedural step in any application to vary of discharge a protective order by requiring the applicant to obtain the courts permission for the application to be brought.
- Courts efficiency – the review highlights the challenge in creating a single either way offence of stalking with an increased maximum penalty is that this may result in additional cases of stalking being heard in the Crown Court as opposed to in the Magistrates' Court, adding to court backlogs. However, the review judges that stalking needs to be treated as the serious criminal offence that its victims know it to be.
- Ongoing scrutiny and accountability – the review comments that a step towards shared accountability would be to ensure that there was a formal mechanism for ongoing independent scrutiny of criminal justice legislation as a whole in the domestic abuse and interpersonal abuse context.

Annex B: Summary of the Government Response

Recommendation	Government Response
Recommendation 1 - comprehensive review of all offences and protective orders in the sphere of interpersonal abuse should be undertaken. The aim of such a review should be to promote clear and consistent legislation which aligns with the government's strategy for tackling interpersonal abuse. A single statute containing the offences of harassment, stalking and controlling or coercive behaviour and associated protective orders should be considered.	**Reject.** The Government agrees with the sentiment of this recommendation in that there should be a coherent framework underpinning all violence against women and girls (VAWG) offences. However, we would argue that there is no need for a further, potentially lengthy review when there is already significant work underway to address this.
Recommendation 2 - a single standalone offence of stalking should be introduced which is triable either-way.	**Accept.** The Government accepts this recommendation and commits to legislating as soon as parliamentary time allows to introduce a single standalone offence of stalking which is triable either-way.
Recommendation 3 - the new standalone offence of stalking should have the following features: • A maximum penalty of 14 years' imprisonment. • A clause which protects the stoic victim. • A clause which protects the unaware victim. • A victim specific context clause. • A clause that means it can be committed by either a course of conduct or the continuation of a course of conduct. • A clause that means the offence can be committed either intentionally or in circumstances where an offender knows or ought to know in all the circumstances the likely effect of their conduct.	**Partially accept.** The Government agrees that the new standalone stalking offence should include certain features and commits to exploring them in the development of the new standalone offence: • A reasonable person test to protect the stoic or unaware victim; • Consideration of the victim's context and circumstances when determining that reasonableness; • A clause that means the offence can be committed either intentionally or in circumstances where an offender knows or ought to know in all the circumstances the likely effect of their conduct; • A clause that requires the actual or likely effect on the victim to have been fear, alarm or substantial distress;

• A clause that requires the actual or likely effect on the victim to have been fear, alarm or substantial distress. • A clause that retains the statutory defences contained within section 1(3) of the Protection from Harassment Act 1997. • A specific provision for extra-territorial jurisdiction.	• A clause that retains the statutory defences contained within section 1(3) of the Protection from Harassment Act 1997; and, • A specific provision for extra-territorial jurisdiction. The Government also commits to exploring how stalking can further be defined in the new standalone offence in terms of the objective of the stalking behaviour. This is to further distinguish stalking and harassment.
Recommendation 4 - the new offence of stalking should contain in a schedule a non-exhaustive list of stalking conduct that can be amended by secondary legislation and which should be subject to regular review to ensure that it remains reflective of developments in technology and emerging trends in stalking related conduct.	**Partially accept.** Given the Government's commitment to explore how stalking can better be defined within the new stalking offence itself, we will instead include a non-exhaustive list of stalking behaviours in the new multi-agency statutory guidance on stalking which is being developed following the Crime and Policing Act 2026.