
WILTSHIRE POLICE FORCE POLICY and PROCEDURE



Stalking and Harassment

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POLICY STATEMENT

The mission of Wiltshire Police is to keep people safe and protect our communities.

Wiltshire Police is committed to keeping victims of stalking and harassment safe, alongside a coalition of partners, by reducing and managing the risk they face, by providing them with a high-level of service, and facilitating justice through our effective engagement with the CPS and HM Courts.

To achieve this aim, this Stalking and Harassment Policy will support colleagues and partner agencies in understanding the strategic intent of Wiltshire Police. Investigating Officers should refer to the Stalking and Harassment Procedure for tactical advice and considerations for what should and should not be done when investigating offences. This can be found here: [Stalking and Harassment Toolkit \(sharepoint.com\)](#)

Strategic Intent

Wiltshire Police commit to:

1. Building trust and confidence in the police service for targeted individuals so that they seek our help directly without feeling like they are over-exaggerating.
2. Reduce the under-reporting of all forms of Stalking and Harassment
3. Provide an effective response on every occasion our help is sought; recognising & responding effectively to risk, keeping victims' safe and holding offenders to account.
4. Raise awareness and identify victims, prospective victims and perpetrators and seek to proactively engage with them.
5. Demonstrate the Police Service's leadership on the issues as well as playing an effective role in the coalition of partners to tackle Stalking and Harassment.

There are also three key principles that will underpin everything that Wiltshire Police does with respect to Stalking and Harassment:

- That we treat victims compassionately, fairly, and professionally,
- That we put victims' (and their children) safety and well-being at the heart of our initial responses and investigations; and
- That their personal details will be stored, managed and handled with integrity and confidentially.

POLICY AIM

The purpose of this policy is to clearly define Stalking & Harassment and provide guidance on risk management and investigation. This is done with the intent to reduce the risk of serious harm or homicide and to deliver a high-quality service to victims and their families.

APPLICABILITY

This document should be considered by all members of Wiltshire Police who deal with allegations of Stalking and Harassment.

LEGAL BASIS AND DRIVING FORCE

[Stalking Protection Act 2019](#)

[Protection from Harassment Act 1997](#)

[Children Act 1989](#)

[Criminal Justice & Police Act 2001](#)

[Domestic Violence, Crime and Victims Act 2004](#)

[Anti-Social Behaviour, Crime and Policing Act 2014](#)

RELATED POLICIES, PROCEDURES and OTHER DOCUMENTS

[ACPO \(2009\) Practice Advice on Investigating Stalking and Harassment](#)

[College of Policing \(2013\) Briefing Note for Amendments to the Protection from Harassment Act 1997.](#)

[Child Abuse Procedure](#)

[Domestic Abuse Policy and Procedure](#)

[Missing Persons Policy and Procedure](#)

[Management of Missing Persons and Absent Without Leave \(Joint Protocol\)](#)

[Protocol on the appropriate handling of stalking offences between the Crown Prosecution Service & ACPO \(cps.gov.uk\)](#)

AUTHORISED PROFESSIONAL PRACTICE

[APP> Major investigation and public protection> Stalking or harassment](#)

[APP> Major investigation and public protection > Missing Persons](#)

[APP> Major investigation and public protection > Investigating child abuse and safeguarding children.](#)

[APP > Major investigation and public protection > Domestic Abuse](#)

[APP Investigation](#)

DATA PROTECTION

Any information relating to an identified or identifiable living individual recorded as a consequence of this procedure will be processed in accordance with the Data Protection Act 2018, General Data Protection Regulations and the [Force Data Protection Policy](#).

FREEDOM OF INFORMATION ACT 2000

This document has been assessed as suitable for public release.

MONITORING AND REVIEW

This policy will be reviewed either every eighteen months; as the result of significant publications from either the Home Office or NPCC/CoP guidance/APP; or because of a significant case that has highlighted areas for improvement.

The Force Lead for Stalking and Harassment will regularly monitor compliance with this policy. The Force Lead for Stalking and Harassment holds overall responsibility for the review and monitoring of this policy and will conduct all necessary reviews.

WHO TO CONTACT ABOUT THIS POLICY

The Superintendent Head of the Geographical Crime and the Force Lead for Stalking and Harassment are responsible for this policy. All queries relating to the policy and procedure should be directed to the Force Lead for Stalking and Harassment.

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PROCEDURE

“Wiltshire Police will take all reports of Stalking and Harassment extremely seriously. We will recognise that any incident, regardless of severity in isolation, can be catastrophic when added to a catalogue of other seemingly insignificant incidents. Victims will be believed and protected whilst offenders will be brought to justice.”

Procedure Overview

This document explains how Wiltshire Police will respond to crime and non-crime incidents where it is believed that Stalking and Harassment may be a factor. It will enable an effective response encompassing national guidance and best practice. Wiltshire Police will respond to all allegations of Stalking and Harassment and will ensure each case is subject to a full risk management plan.

These procedures do not include investigative processes that should be considered as part of every criminal investigation with regard to the obtaining, examining, and securing of evidence, but provides a structure for considerations that are specific to dealing with incidents involving Stalking and Harassment. Statutory obligations must still be adhered to.

1. INTRODUCTION

Stalking is not defined in law. However, the 2018 Joint Police/CPS Protocol defines stalking as: “A pattern of unwanted, persistent pursuit and intrusive behaviour directed by one person to another, that engenders fear and distress in the victim and is characterised by an obsessive fixation with the victim”.

There is no single motivation of offenders for stalking or harassment. It is a diverse and often complex field that sometimes leads to circumstances where the perpetrators pose a real threat of harm to victim.

In the majority of stalking or harassment cases there will be some connection between the victim and the suspect, even if the victim is consciously unaware of who the suspect is (e.g. they have met before in passing). It is important that whenever a case of stalking or harassment falls within the definition of domestic violence, this definition is applied, and the appropriate guidance followed.

Within the contexts of stalking or harassment described above, there will be different motivations for the behaviour. These can include revenge, retribution, loneliness, resentment, a desire for reconciliation, response to a perceived insult or humiliation or a want/need for control. In some cases the motivation will be the delusional belief that an individual is in love with the person harassing them.

Stalking can terrify victims and cases can escalate to rape and murder. It is often misinterpreted and misunderstood to be romantic and complimentary to its victims, but stalking is about fixation and obsession. Stalking is a serious crime and can destroy the lives of those victimised; it therefore needs to be treated with the seriousness that it deserves in order to better protect victims and address perpetrators behaviour.

As stated, Stalking is not legally defined, but can be understood to be characterised by an obsession and a crime of persistence; it is a pattern of repeat and persistent unwanted behaviours that is intrusive and engenders fear.

Stalking is different to harassment as it relates to fixation and obsession rather than nuisance behaviour.

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Research released by the Suzy Lamplugh Trust in 2016 indicated that around 1 in 5 women and 1 in 12 men have experienced stalking in their lifetime in the UK; while the Crime Survey for England and Wales found that 734,000 women and 388,000 men experience stalking each year, making stalking as pervasive as domestic abuse.

Stalkers are most likely to target someone they know, with the largest proportion of stalkers being current or ex-partners, demonstrating a clear link to domestic abuse and high risk, with DA stalkers more likely to cause serious harm to their victim than other types of stalkers. Stalking of strangers accounted for only 10% of stalking cases reported to the National Stalking helpline in 2015; with stalkers more likely to be ex-partners, acquaintances, colleagues/ex-colleagues, and family members.

Resources for advice and guidance around stalking and harassment can be found here: [Stalking and Harassment Toolkit](#).

The Police Visual Handbook is a good guide for police investigations. Advice from them on the police's approach to Stalking and Harassment can be found here: [Harassment and Stalking - Undertaking the Investigation \(pvhonline.org\)](#).

2. STALKING AND HARASSMENT LEGISLATION

(Unless otherwise stated all references to legislation refer to the [Protection from Harassment Act 1997](#)).

2.1 Section 2 PHA 1997

A person commits an offence:
who pursues a course of conduct
which amounts to harassment, and
which they know or ought to know amounts to harassment of another
racially or religiously aggravated (if applicable)

This is a summary offence - unless racially or religiously aggravated, which is an either way offence.

2.2 Section 2A Offence of Stalking

Inserted by section 111 of the Protection of Freedoms Act 2012 with effect from 25/11/2012.

A person commits an offence:
who pursues a course of conduct
which amounts to stalking
Racially or religiously aggravated (if applicable)

2.3 Section 4 Fear of Violence:

'A person whose course of conduct causes another to fear on **at least two occasions** that **violence will be used against him/her** is guilty of an offence if he/she knows or ought to know that his course of conduct will cause the other so to fear on each of those occasions.'

4A Offence Stalking prohibits a conduct relating to the offence of stalking involving fear of violence or serious alarm or distress.

This prohibits a course of conduct which causes 'serious alarm or distress' which has a substantial adverse effect on the day to day activities of the victim. It is designed to recognise the serious impact that stalking may have on victims, even where an explicit fear of violence is not created by each incident of stalking behaviour.

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2.4 Power of Entry

Officers have a power of entry under section 4A only. An application for a warrant to a Justice of the Peace is required under section 2A.

2.5 Racially Aggravated Harassment

The Crime and Disorder Act 1998 'Racially Aggravated Offences' can apply to the Protection from Harassment Act 1997.

In the case of Racially Aggravated Harassment – Section 2 - the penalty is increased to a maximum of 2 years' imprisonment; and Section 4 increases to 7 years' imprisonment.

2.6 Collective Harassment

Section 7(3A) of the Act deals with the situation where more than one person is engaged in the harassment of another e.g. if a group decide to target a particular victim, or a stalker arranges for another person to harass the stalkers victim.

This subsection was specifically passed in order to deal with situations where animal rights demonstrators were engaging in campaigns of harassment where each member only committed one act of harassment, i.e. sending a leaflet, and was therefore not engaging in a course of conduct.

The subsection could also be useful in circumstances where an individual who is harassing a family or a member of that family arranges for another person to engage in acts of harassment towards the family or family member. In each such case the court can deal with all the incidents of harassment together and all parties involved can be prosecuted for every incident in the course of conduct and not just the incidents that they were personally engaged in.

It is however an unusual charge and therefore where a case of collective harassment is suspected it is sensible to discuss matters with supervision and the CPS at an early stage of the investigation.

3. WHO BECOMES A STALKER?

A number of stalker typologies have been identified:

Rejected by victim

The victim is an ex intimate partner. These stalkers will deny the end of the relationship. They are often sane but angry. They will respond to sanctions but believe that they are entitled to their partner

Early intervention is key to prevent the stalking and protect the victim

Intimacy seeker

Intimacy stalkers believe they are in a relationship with their victim.

This fictional pseudo relationship can be with anyone. Such a relationship can develop with anyone with whom they have had contact with. Such victims can range from a dentist to a celebrity.

Incompetent suitor

Such stalkers will not have the skills to pursue a relationship, but do so anyway. They do not have the basic skills to develop and maintain a relationship.

They can often be easily dissuaded from their behaviour.

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Resentful stalker

Often typified by targeting professionals who have let them down whom they blame them for everything that has gone wrong with them.

They seek to terrify and control.

Cyber stalkers

Cyber stalking is threatening behaviour or unwanted advances directed at another using the internet and other forms of computer communications.

This may take the form of identity theft / posting false profiles / provoking others to attack others by attacking the victim / direct threats through email / messaging.

Online abuse reduces perpetrators inhibitions resulting in higher propensity for poor behaviour. 54% cyber stalking victims first met their attacker off line.

4. RISK ASSESSMENTS

A risk assessment will be completed in all cases of Stalking and Harassment regardless of whether it is Domestic related or not.

When dealing with stalking and harassment Police Officers will often be presented with a set of circumstances that in isolation may not amount to stalking. Dialogue with the victim and the interrogation of police intelligence about the address, suspect and victim will assist with this identification. The responsibility will be on the attending officer to inquire if the incident is part of a series of incidents that may amount to stalking.

In cases where it is related to Domestic Abuse (DA) or Child Protection (CP) a Police Protection Notice (PPN) on NICHE must be submitted. In cases where neither DA or CP are qualifiers a [Stalking & Harassment Risk Assessment \(Form 270\)](#) must be completed and attached to the niche occurrence. It is mandatory in all cases that this is completed by the end of the attending officers' tour of duty.

The attending officers must use their professional judgement as to the risks presented to the victim, utilising the information gathered on the PPN or form 270 and decide on the risk level as per the following.

RISK OF SERIOUS HARM is defined by the Home Office as: 'A risk which is life threatening and/or traumatic, and from which recovery, whether physical or psychological, can be expected to be difficult or impossible'

Standard risk: Current evidence does not indicate likelihood of causing serious harm.

Medium risk: There are identifiable indicators of risk of serious harm. The offender has the potential to cause serious harm but is unlikely to do so unless there is a change in circumstances, for example, failure to take medication, loss of accommodation, relationship breakdown, drug / alcohol misuse.

High risk: There are identifiable indicators of risk of serious harm. The potential event could happen at any time and the impact would be serious.

In standard and medium cases the attending officer's supervisor must review the circumstances and the immediate safeguarding actions taken. In high risk cases the duty inspector must review the circumstances and immediate safeguarding actions taken and the case must be referred to CID/PPD for investigative advice.

The list below is not intended to be used as a checklist (e.g. for questioning victims) but to give operational officers an overview of the issues which are relevant in ours and multi-agency responses to harassment cases.

a. The Harassment

- Happening more often or getting worse
- The suspect is physically present at the victim's home, workplace or place where they can regularly be found (e.g. more than three times a week)
- Directed against anyone other than the victim (e.g. partner, family, friends, children, neighbours, work colleagues)
- Threats of harm being made to the victim or someone else, including indirect threats
- Destruction or vandalism of property of either the victim or someone else.

b. The Suspect

- Intelligence or a criminal record for violence or other offending (e.g. domestic abuse, child abuse, sexual offending, other violence, theft, criminal damage)
- Engaged in harassment on previous occasions against the victim or someone else
- Harmed the victim or anyone else physically or sexually (including family, anyone else they have had a relationship with, or a stranger)
- Harmed animals
- Breached an injunction, court order or bail conditions
- Involved other people to assist in the harassment (whether they are conscious of their involvement or not)
- Knowledge available about the victim, in particular, the victim's work, home, personal lifestyle and movements (e.g. due to the relationship with the victim or access to information due to the suspect's profession or expertise)
- Occupation or interests are a source of concern (e.g. access to weapons, firearms licence holder or access to confidential information)
- Threatened or attempted suicide
- History of misuse of drugs (prescription or other) or alcohol.
- Mental ill health and any behaviour indicating symptoms of mental ill health (e.g. evidence of delusions or hallucinations)

c. The Stalking

Substantial adverse effect on day to day activities.

The Home Office considers that evidence of the following are linked to risk factors:-

- the victim changing their route to work patterns or employment
- the victims arranging for friends or family to pick up from school (to avoid contact with stalker)
- the victim putting in place additional security measures in their home
- the victim moving home
- physical or mental ill health
- the victims deterioration in performance at work due to stress
- the victim stopping or changing the way they socialise

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d. The Victim

The investigating officer should consider all potential lines of enquiry including:-

- Afraid of what the suspect might do to themselves or someone else and the degree of fear shared by the victim's friends, family and colleagues
- Any other person who has threatened the victim or who they are afraid of
- Physical or mental health affected by the stalking or harassment (e.g. whether they are feeling depressed or suicidal)
- Vulnerability of the victim to stalking or harassment, such as mental ill health, disability, learning difficulties, or residence in an isolated location. (A vulnerable adult is anyone of 18 years and over who is or maybe in need of community care services by reason of mental or other disability, age or illness and who is or maybe unable to protect him or herself against significant harm or exploitation)
- Whether the victim understands any risks and is capable of exercising caution and could reliably apply appropriate personal safety measures (e.g. carrying a personal alarm or securing their home)

Identifying these risk factors will assist in determining a number of issues relating to risk including the likelihood of the stalking or harassment continuing, if it has stopped, if it is recurring or if there is a likelihood of it escalating to physical and/or sexual assault. This information will also help to establish whether the victim has suffered, or is likely to suffer, significant harm including psychological and/or social damage.

4.1 Multi Agency Risk Assessment Conference (MARAC)

MARAC are held in Wiltshire and Swindon on a regular basis for the highest risk victims of domestic abuse and stalking or harassment. It is incumbent upon all agencies to refer victims they deem to be a high risk into this process. The method of referral will be by the completion of a risk assessment document mentioned above and with liaison with the MARAC coordinator for the relevant area. High risk PPNs will automatically be referred to MARAC. Speak to PPD for advice around MARAC.

4.2 Multi Agency Arrangements (MAPPA) and Offender Management

All agencies should be alert to the possibility of any individual being engaged in a series of incidents as a perpetrator. It should be borne in mind if a person has previously resided outside Wiltshire that there may be a history of similar offending recorded elsewhere and it is compulsory on all agencies to carry out checks where this is believed to be an issue.

Any individual that causes concern for these reasons should be considered jointly in a multi-agency meeting with regards to some form of offender management being put in place and a joint decision made as to who should be informed in order that victims can be safeguarded. Ultimately the most serious offenders on conviction should be alerted to the Probation Service for consideration of their inclusion in the MAPPA process.

5. ROLES AND RESPONSIBILITIES

5.1 Call Handlers

The receipt of a report or suspicion of harassment is the beginning of an investigation.

Domestic Abuse related instances must be dealt with under the [Domestic Abuse Policy and Procedure](#).

For non-domestic abuse related instances you must carry out THRIVE+ risk assessment in accordance with the [Grading & Deployment Policy and Procedure](#).

Whilst conducting the THRIVE+ assessment you should:

- Prioritise the safety of the victim and any children, giving safety advice and any other advice as appropriate.
- Endeavour to obtain as much detail from the victim/caller as possible, where appropriate, about what has taken place in order to support an effective investigation.
- Where your THRIVE+ assessment deems it necessary open a Storm log for stalking and harassment related incidents.
- All reports of Non Domestic related stalking or harassment that haven't been recorded on storm should be recorded on NICHE.
- Create an incident describing the nature of the call and record the first account of what the caller says has occurred (recording verbatim). Where appropriate attempt to ascertain the following:
 - ❖ Location, identity and contact details of the person making the report, e.g. victim, neighbour etc.
 - ❖ Details of all persons involved (e.g. name, gender, date of birth, home address, telephone number etc.).
 - ❖ Severity of any injuries and whether medical assistance is required.
 - ❖ Whether anyone is at further risk of injury.
 - ❖ Whether the incident has ended or is ongoing.
 - ❖ Location, identity and description of any suspect and any vehicles bring used.
 - ❖ Whether weapons are available to the suspect or are being/have been used.
 - ❖ Whether any party appears to be under influence of drink or drugs.
 - ❖ Details of the demeanour of the victim, suspect and others present, and any background noise.
 - ❖ Whether there are any special needs in respect of the victim, witness, suspect or the person that may affect the police response, e.g. disability or communication difficulties, mental health or other potential vulnerability.
 - ❖ Whether any court cases are pending (civil or criminal).

5.2 Dispatcher

You should:

- Where appropriate ensure medical assistance is on route.
- Prioritise the safety of officers and others attending the scene.
- Inform the attending officers of all relevant information and intelligence available, e.g. markers at the address, previous Harassment Information Notices (HIN's), civil and restraining orders and conditions, child protection issues etc.
- Inform the Duty Inspector and Public Protection Department (PPD) as soon as possible if the risk to a victim is high. In the event that the incident is a threat to the organisation (e.g. stranger abuse of someone in the public eye) the duty Superintendent should be alerted immediately.
- Where a suspect is known, make sure all relevant checks are carried out.
- All storm logs related to stalking and harassment must be closed for RMS.

5.3 Public Enquiry Counter Staff

You should:

- Offer the complainant the opportunity to speak in private.
- Comply with [Domestic Abuse Policy and Procedure](#), where it is a domestic related incident.

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- Consider whether others are at risk, e.g. children or other vulnerable people.
 - Inform the Control Room so an incident log can be created and allocated accordingly.
 - Make an accurate record of the information or incident reported.

5.4 Attending Officer

You must carry out the actions listed below:

- Assess the safety of the victim and others, including the officer(s).
- Reassure the victim that as an organisation we recognise how serious stalking and harassment is and what a detrimental impact it has on its victims. They have the fundamental right to be believed and we will protect them.
- If it is a domestic abuse related incident, follow the guidelines within the [Domestic Abuse Policy and Procedure](#).
- Identify the suspect and, if appropriate, circulate a description of them and any vehicle.
- Establish who was and is at the scene including any children and potential witnesses and perpetrators.
- Conduct enquires with neighbours and potential witnesses, especially where a victim has been subject to periods of observation by the suspect outside their workplace or other place.
- Make accurate records of anything said by the suspect, victim, and any witnesses, including children.
- Record the demeanour of all persons present, including children.
- Obtain statements where required from witnesses.
- Request relevant checks on the address, suspect etc.
- Consider medical consent where there has been physical abuse, psychiatric harm etc.
- Consider taking photos to record evidence.
- Request crime scene examination where appropriate, manage the scene and preserve any evidence including any communication received from the suspect e.g. letters, electronic communication.
- Carry out a thorough risk assessment process with victims (PPNs or [Form 270](#)).
- Manage the risk to the victim by considering available options, e.g. home security and referring to appropriate organisations. Safeguarding **must** be completed with all victims before you leave the scene.
- Secure the safety of victims and children within their own home. If this is not possible, consider taking them to another place of safety, e.g. the home of a relative or a refuge.
- Consider the needs of victims who may be particularly vulnerable to harassment e.g. geographically isolated, mental ill health or physical disability, member of a minority community or at risk of honour based abuse (HBA). Any concerns must be raised with a supervisor or specialist department.
- Update relevant intelligence systems
- Seek support from the relevant Public Protection Department for all cases.
- The attending officer in all cases should add an MG11 to the casefile detailing the victim's demeanour and behaviour at the scene following an incident. Such statements are vital when demonstrating the impact of the stalking or harassment to a court.
- If children involved a PPN should be submitted on NICHE.
- Consider whether BWC footage will assist in the investigation (See [Body Worn Video Procedure](#)).

5.5 Investigating Officer

Stalking requires a comprehensive and effective investigation to be conducted and as such the lines of available evidence should be considered at an early stage to ensure that this evidence is secured and preserved. This is particularly important when dealing with time critical issues for example CCTV enquiries, evidence contained on digital devices such as mobile phones and forensic evidence, or evidence that can be readily destroyed by a perpetrator. Where necessary the advice and support of the CID should be sought to set this initial investigative direction and to ensure no opportunities are missed. The following are suggested courses of action:

- Engage in the post-arrest management of suspects and ensure the risk assessment is available to the Custody Sergeant in order to identify whether bail is appropriate in relation to risk to the victim, children or other vulnerable person.
- Go through the sections listed above and ensure all necessary actions have been carried out. Complete any outstanding actions.
- Reassure the victim that as an organisation we recognise how serious stalking and harassment is and what a detrimental impact it has on its victims. They will be believed and we will protect them.
- Take all incidents seriously, regardless of how small or insignificant they may seem. Look at the case as a whole and establish as much information as possible rather than treat it as an isolated incident. Use your skills as an experienced member of PPD and dealing with high risk victims to try and gain as much background information as you can.
- A full statement should be taken from the victim where they are prepared to support a prosecution. In cases of a vulnerable or intimidated witness this should be done via a visually recorded statement.
- Ensure that the release of the suspect and/or any bail conditions are discussed with the victim prior to being made, in order to ascertain their views and any further information which may impact on the decision e.g. details of any existing court orders.
- Consider applying for a Restraining Order, seek PPD advice, and communicate the reasons to the CPS on why this would be appropriate.
- Ensure the victim is kept updated on the progress of the case.
- Consider the use of covert methods of evidence collation if relevant.
- Gather evidence from the victim's mobile phones and computers where texting and/or cyber-stalking feature in the allegation and ensure the victim has means of communication at all times.
- Provide the victim with safety information and support.
- Provide the victim with a [Harassment Diary \(Form 271\)](#), where appropriate, and explain how it should be completed
- Where appropriate, work with other agencies to make the victim safe within their home or go over refuge options with them again.
- Write up a safety plan around safeguarding the victim/Children. Record it on the OEL of Niche.

5.6 Supervisors Responsibilities

You should:

- Ensure you monitor incidents of stalking and harassment and provide support where necessary.
- Ensure cases are being progressed promptly.
- Ensure all lines of enquiry have been followed.

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- Ensure that the risk assessment process has been carried out effectively and in high risk cases ensure that advice from the appropriate specialist units is sort.
 - Make sure there is a safety plan in place to safeguard the victim/children.
 - Ensure HCR's are completed.

5.7 Custody Officer

You must:

- Consider the suspect's right to a telephone call and assess the suspect's potential to harass and intimidate the victim, children, family members and potential witnesses.
- Ensure any telephone calls are supervised.
- Record if a suspect threatens to commit suicide, and include this within the custody risk assessment process for the care of the suspect in police detention.
- Consider suicide threats by the suspect as a risk factor relating to further harm being caused to the victim and children, and include as part of any decision-making process for police bail.
- Record significant statements on the custody record and invite the suspect to sign and verify them.
- Document on the custody record any intimidating, aggressive or threatening behaviour exhibited by the suspect.
- Consult victims prior to making bail decisions where possible. The victim should be updated on the investigation and informed of any decision to charge the suspect, the conditions that have been placed and what those conditions mean prior to their release.
- Refer to the victim risk assessment to justify any bail conditions set.
- Use information from suspect interviews to make decisions about custody, charging, bail, prosecution, sentencing and risk.
- Remember that there is a danger that police attention can sometimes intensify the suspect's interest in the victim. Particular note should be made of any comments that may indicate this as a risk when deciding bail conditions.

6. STALKING PROTECTION ORDERS

The Stalking Protection Act of 2019 introduced Stalking Protection Orders (SPO) as a power available to the Court to order. These orders are unusual because in addition to the normal prohibitions that can be sought (e.g. to stay away from a person) the Court can order that a person must engage with a process (e.g. behavioural programs).

SPOs are a civil order. Wiltshire Police pursue these matters through a third-party solicitor (currently Weightmas), following authorisation from a Superintendent. Advice from the College of Policing, including a process map can be found here: [Stalking or harassment](#)

Advice from the CPS on the topic can be found here: [Stalking Protection Orders | The Crown Prosecution Service \(cps.gov.uk\)](#)

Practical advice on how to obtain an SPO has been written by Jordan De Friend and can be found here:

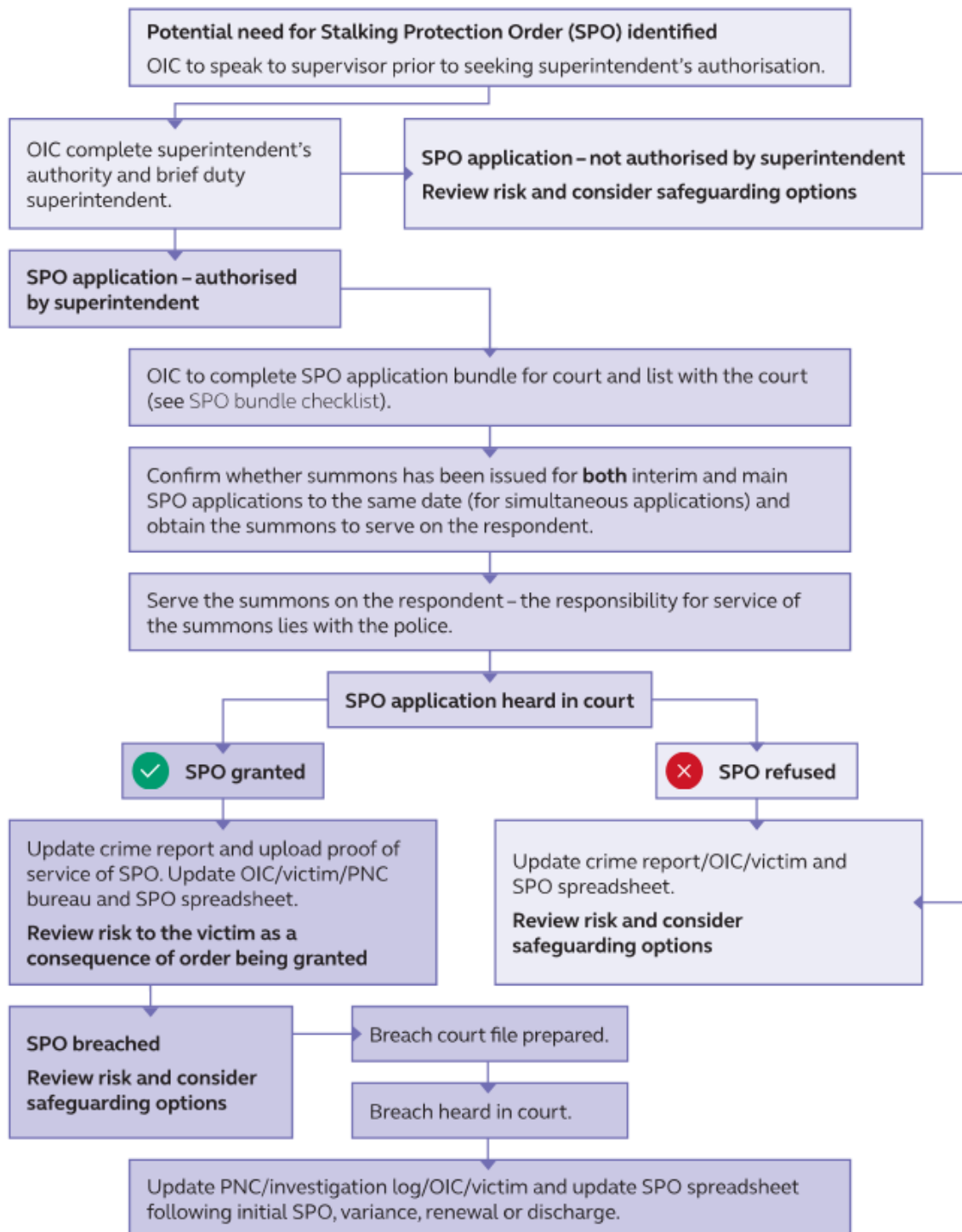
<https://wiltspolice.sharepoint.com/sites/PPDCS/Shared%20Documents/Stalking%20and%20Harra sment/A%20Practical%20Guide%20to%20obtaining%20an%20SPO.docx>

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Appendix A

Application process map for Stalking Protection Orders (SPOs)



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7. USE OF CAUTIONS

Where a caution is administered the facts on which the caution was based cannot be used as part of the alleged course of conduct in any subsequent prosecution for harassment. The fact that a caution has been issued, however, may be relevant in the context of the bad character or reprehensible behaviour provisions for showing that the subject was aware of the provisions of the Protection from Harassment Act (PHA).

The legislation allows the court to impose on conviction a restraining order. **Cautioning, therefore, should not generally be considered** unless there are overriding reasons why it should. The safety of a victim should never be compromised by our decision to caution an offender. In relation to domestic abuse related cases you must follow guidance within the [Domestic Abuse Policy and Procedure](#).

PIN/Warning Notices should not be used in Stalking or Harassment cases. This is following on from the advice from the “Living in Fear” report ([Living in fear – the police and CPS response to harassment and stalking - HMICFRS \(justiceinspectors.gov.uk\)](#)). This is the direction from DCC Mills National Lead for Stalking and Harassment.

8. VICTIMS COLLECTING THEIR OWN EVIDENCE

In all appropriate cases victims should be encouraged to keep a diary/log of all the incidents ([Form 271: Stalking and Harassment Diary](#)). All information should be recorded in one diary where possible and victims should write incidents in them as soon as possible after the event to ensure they record it accurately. Good practise for recording in a diary includes:

- Time and date every entry.
- Keep a detailed record of the circumstances; where were they, who was there, what happened, anything significant such as it being dark etc.
- Do not delete anything. Keep all messages, phone calls, emails etc. stored on the electronic device.
- Record what the suspect was wearing, where they were, what they sounded like (angry, excited etc.) and any vehicle they were in.
- Ask neighbours where appropriate to also keep a log if they see suspect loitering outside address etc.
- Keep letters and parcels believed to be from the suspect.
- Use 1471 and record all phone numbers that the suspect may be using.
- Where possible record telephone conversations and save these.
- Ask colleagues, employers, building security (where appropriate) and family & friends to keep a log of any incidents they have witnessed/heard.

9. SAFEGUARDING

Victims of Stalking and Harassment have a variety of safeguarding considerations available to them ([appendix A](#)) depending on the circumstances. These include but are not limited to:

- Referral to a DV outreach service.
- Referral to the National Centre for Domestic Violence
- Citizens Advice Bureau
- Refuge
- Change of phone number

-
- National Stalking Helpline
 - Bobby Van
 - Markers on home address
 - Police support with regards to housing applications
 - The fixated threat assessment centre (police use only).
 - Electoral Commission website for anonymous voter registration.
 - Advice regarding the victim not disposing of anything containing personal details in a dustbin but for these items to be shredded etc.
 - Any children's schools should be made aware.
 - Covert tactics where appropriate.
 - [Victims Safeguarding Pack \(Form 316\)](#)

Appendix A

Support agencies available:

(including but not limited to)

- **Splitz** - 01225 775276
helpdesk@splitz.org www.splitz.org
- **Swindon Women's Aid** - 01793 610610 (24 hour)
office@swindonwomensaid.org www.swindonwomensaid.org
- **NCDV** - 0800 970 2070 (freephone) - text NCDV to 60777 & they call back
www.ncdv.org.uk
- **National Stalking Helpline** - 0808 802 0300
www.stalkinghelpline.org
- **Citizens Advice Bureau** - 03444 111 444
www.citizensadvice.org.uk
- **Electoral Commission Website** –
www.electoralcommission.org.uk/
- **Crimestoppers** - 0800 555 111
<https://crimestoppers-uk.org/>
- **Swindon Sanctuary (SARC)** - 0808 168 0024 (24 hour)
www.swindonsanctuary.co.uk
- **Karma Nirvana** - 0800 5999 247
www.karmanirvana.org.uk/
- **Stop Hate Crime UK** - 0800 138 1625 (24 hour)
www.stopehateuk.org
- **Paladin Stalking Advocacy Service** - 0207 840 8960
info@paladinservice.co.uk - www.paladinseervice.co.uk

DOCUMENT ADMINISTRATION

Ownership:

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25.05.2018	2.0	Data Protection section amended to reflect implementation of GDPR and new DPA.
24.01.2022	3.0	Introduction of Stalking Protection Act 2019, the introduction of stalking protection orders, changes to APP Stalking or harassment and the NPCC and Crown prosecution Service (CPS) joint protocol. Reference to PPD1 changed to PPNs. Reference to not using a PIN/warning notice added.

Approvals:

This document requires the following approvals:

Name & Title	Date of Approval	Version
Force Policy Officer	25.01.2022	3.0
Supt. Head of Geographical Crime	18.01.2022	3.0
JNCC (Not required for all policies)	N/A	N/A

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Consultation:

List below who you have consulted with on this policy (incl. committees, groups, etc.):

Name & Title	Date Consulted	Version

Implications of the Policy:

Training Requirements

None

IT Infrastructure

None