



STALKING AND HARASSMENT POLICY

Policy Title

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Section 1 – Policy Intentions

It is the policy of Gloucestershire Constabulary to take firm and positive action against those that commit offences relating to stalking and harassment, whilst ensuring that there is provision of caring support for victims and their children.

Section 1 – Policy wording

Gloucestershire Stalking and Harassment Policy

Gloucestershire Constabulary recognises the serious psychological and physical effects that stalking and harassment has upon victims also acknowledging that these offences are often precursors to more serious crimes being committed against victims.

‘Harassment’ and ‘Stalking’ are not legally defined in the Protection from Harassment Act 1997. Although often spoken about together, stalking and harassment are different offences under the act. However, both have additional offences involving creating a ‘fear of violence’ and both may also be racially or religiously aggravated under the Crime and Disorder Act 1998.

The Stalking Risk Profile defines stalking as ‘making repeated unwanted communications and contacts in a way that would cause apprehension or fear in most people. In most cases stalkers make unwanted communications using telephone calls, emails, text messages, posts on social networking sites, and letters and faxes. In some cases stalkers will also send unsolicited materials, such as gifts or items that cause fear or appear threatening (e.g. bullets, dead animals). Many stalkers also make unwanted contact with their victim by loitering near their home, workplace, or places of leisure, by spying on them, following them, accosting them in public, and occasionally by trespassing in their home or workplace.

Stalking is an offence of fixation and is often driven by complex mental health issues.

It is therefore the policy of Gloucestershire Constabulary to recognise and robustly investigate crimes and allegations of crimes that amount to stalking and harassment, to ensure that perpetrators are brought to justice and victims are appropriately safeguarded.

The effect of such behaviour is to curtail a victim’s freedom, leaving them feeling that they are constantly under threat. In many cases isolated conduct might appear innocent, but when carried out repeatedly in a ‘course of conduct’ it can cause significant alarm, harassment and distress to the victim.



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Gloucestershire Constabulary also understands that when these offences take place within a domestic setting, involving partners, ex-partners and those who may be subjected to Honour Based Abuse this can increase the risk to victims and so investigation may also be homicide prevention.

Cases highlighted as involving stalking and harassment are identified through the VIST and considered within the MASH. If the case is one of a 'domestic' nature then MARAC or other multiagency support may be invoked. The county also has a multiagency stalking clinic which considers, on a monthly basis, the highest risk cases

We shall ensure that all officers are sufficiently trained in recognising these offences, understand the risk assessment tool that we use to assess and mitigate the risks from offenders, and thereby are able to play their part in keeping victims safe from harm.

The nature of these offences may make it difficult for a victim to report them to the police for fear that it is deemed unworthy of police investigation or the offences may not have been initially identified by the victim as part of a course of harassment or stalking. It is therefore our aim to:

- Promote the understanding of stalking and harassment as specific offences, but that they are also predictive of future further offending.
- Fully investigate criminal allegations of stalking and harassment and hold offenders accountable through the criminal justice system.
- Accurately assess risks to victims and protect them from future harm while ensuring all evidence is gathered for criminal prosecutions.
- Offer support, reassurance and facilitate access to specialist advice.

Section 2 – Procedural guides

There is a specific 'stalking' section on the force intranet that contains the following documents:

Stalking – 'How to...' procedural guidance.

Stalking – CPS joint protocol checklist.

ACPO and CPS Joint Protocol on Stalking.

Stalking – Tactical Menu of Intervention Options.



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Section 3 - Relevant Legislation: (*Human rights/diversity/Health & Safety/any other specifics*)

Human Rights Act - <http://www.legislation.gov.uk/ukpga/1998/42/contents>

Protection from Harassment Act 1997 s2/4 (harassment) and s2a/4a (stalking)

Section 4 - Related References:

Gloucestershire Take a Stand - <http://www.glostakeastand.com/>

Paladin National Stalking Advocacy Service website - [Paladin National Stalking Advocacy Service - Who We Are](#)

Holliegazzard Trust – [Hollie Gazzard Trust - Hope, Passion And A Life Fulfilled - Hollie Gazzard Trust](#)

Suzy Lamplugh Trust – [Suzy Lamplugh Trust | Home](#)

Section 5 - Identification, Monitoring and Review

The policy should enable consistent and effective decision making. Where operational or managerial circumstances require any decision making that would adversely affect adherence to the policy or procedure, in line with the 'Statement of Intent' of the constabulary and the police service 'Code of Ethics', if an officer/ police staff member believes that they need to make a decision that steps outside of policy and procedure they should do so, provided that:

- the officer/ police staff member raises the matter at the earliest opportunity (and ideally before any such decision is made) with their line manager declaring their intended (or actual) course of action if notification is made after the decision is taken,
- produces, in a timely manner, a signed and dated written explanation of why it is/ was deemed necessary to step outside of policy and procedure, and
- maintain an adequate record of this written rationale for audit purposes appropriate to the circumstances/ contravention

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1.0	24/6/2015	New policy wording	✓
1.1	6/10/2016	Change of ownership to John Lynch-Warden	
1.2	12/9/2018	Change of ownership to Richard Ocone, update and review. Chief generic decision making wording added too.	
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