



Chief Officer Team COM Exception Report

Title: Safeguarding - Stalking
Report Author: DCI Allan Raw
COT Sponsor: ACC Osman Khan
Date: 14 February 2022

Summary & Context

The submitted paper seeks to report on a number of questions highlighted by the Mayor's Office concerning the area of stalking, as part of the recent exception reporting on the Community Outcomes Meeting. The questions, as posed (in red below), have been answered in three sections -

1. The differentiation between recorded DA and non-DA stalking
2. The handling of stalking and support/protection of victims
3. Stalking hotspots and online offending

In previous COM reports the position of stalking has been updated upon, but it was addressed specifically and in far more detail in the October 2021 Bilateral Meeting. Most of the issues discussed in that meeting are addressed in the below answers, and so present the current position in January/February 2022.

As a consequence of the October 2021 Bilateral Meeting, and of other requests for information and understanding of the Force's approach to stalking, SCGU were asked to prepare the following –

- Stalking reports for each of the five districts to be presented at the December 2021 Local Accountability Meetings (each included a 15-case dip sample audit for each district).
- A review of the handling of Stalking Protection Orders and the early identification of any hindrance factors.
- The commissioning of a bespoke Stalking Problem Profile with the Force Threat Desk.
- A review of the Force's approach to stalking, including consulting with other Force areas on their approach models and the completion of a Stalking Options Paper for the Chief Officer Team

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The Stalking Options Paper, on the basis of review and consultation with other Forces, offers a number of options from the 'as is' position to dedicated stalking units. The paper is completed in final draft form and is in the final stages of consultation with districts prior to being presented by DCI Allan Raw, the Force and NE Regional stalking lead, to the Chief Officer Team on 1 March 2022.

The aim of the paper is to draw together the review details (and much of what is detailed below) into working options that will determine the capacity and capability of developing and enhancing the Force's overall response to stalking, alongside other competing priorities.

In recognition of the increasing focus on stalking (as part of the wider approach to VAWG) West Yorkshire have taken on the role as North East Regional lead for Stalking & Harassment, which will assist West Yorkshire in understanding ongoing best practice and provide an impetus to improve standards across the region.

1. The differentiation between recorded DA and non-DA stalking

'Numbers and types of offences inc how many are domestic related or not - mindful the new legislation brings in all those that are related to domestic offences, but also need to understand the recording of stalking for non-domestic offences.'

Stalking Problem Profile

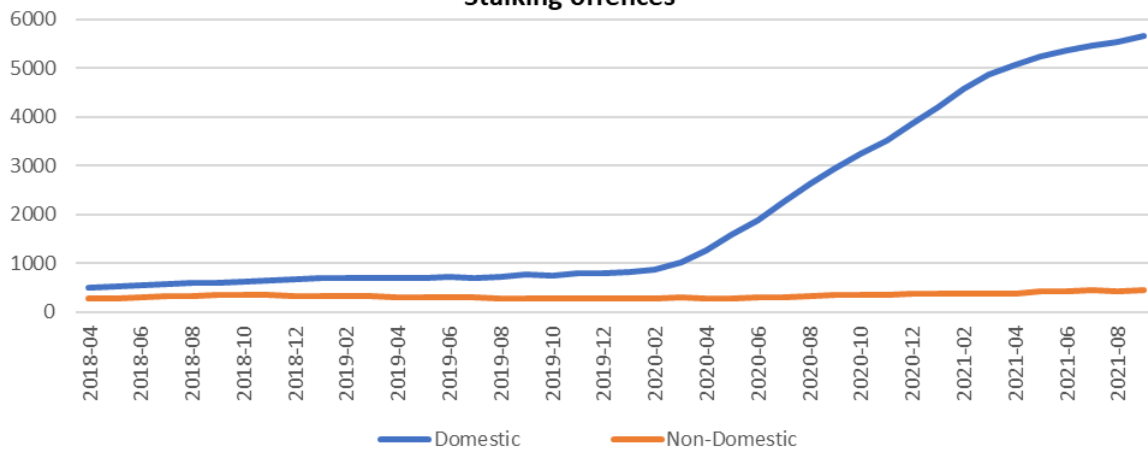
In November 2021, West Yorkshire Police commissioned the Force Threat Desk to create a bespoke Stalking Problem Profile (SPP). This was completed at the end of January 2022 and is undergoing final proofing review and amendments. Its data sets are however completed. They run over the 12-month period of 01/10/2020 to 30/09/2021.

The Force has previously captured stalking and harassment within the broader Domestic Abuse Problem Profile but this presented issues in isolating stalking data and distinguishing between DA and non-DA stalking. It aims to provide a solid foundation on which to build a better understanding of the metrics surrounding stalking crimes and outcomes, and those around victim, suspect and other contextual factors, like the location of offending.

Key Stalking Crime Metrics

The metrics are of immediate use to SCGU, presenting a much clearer picture of stalking across the Force and are presented below to address the questions raised.

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Stalking offences



Stalking offences – 12 month rolling average (1 April 2018 – 30 September 2020)

From March 2020 to March 2021 the Force saw a 370% increase in stalking, with 12 month rolling average increasing from 1311 to 4818. By September 2021 this stood at 6129 and now stands at 6,620. The escalation, whilst coinciding with the start of COVID, is predominantly due to the national changes around the recording of intimate partner (current or former) harassment which is now in all circumstances recorded as s.2A stalking and not s.2 harassment. It is therefore not possible to differentiate between what would previously have been a DA intimate partner s.2 harassment and s.2A stalking. Non-DA stalking has increased but at much more gradual and consistent rate. Non-DA harassment and DA harassment that does not involve intimate partners are still recorded as harassment and are not included in this SPP.

Stalking	BD	CD	KD	LD	WD	Force
12m to September 2021	1571	565	1019	2088	886	6129
Domestic	1434	528	948	1926	833	5669
Non-Domestic	137	37	71	162	53	460
12m to September 2020	797	337	554	1121	477	3286
Domestic	694	304	499	1010	439	2946
Non-Domestic	103	33	55	111	38	340
Change	+97.1%	+67.7%	+83.9%	+86.3%	+85.7%	+86.5%
Domestic	+106.6%	+73.7%	+90.0%	+90.7%	+89.7%	+92.4%
Non-Domestic	+33.0%	+12.1%	+29.1%	+45.9%	+39.5%	+35.3%

Changes in Stalking offences (1 October 2019 – 30 September 2021)

SCGU found that the arrest rate for DA stalking was around 21% whereas for non-DA stalking it was 14%. This difference is likely to be a factor of the suspect in a DA stalking case having committed other DA offences which increases the likelihood of arrest and the fact that non-DA stalking will have a higher rate of ‘suspect not identified’.

Of concern however was the low completion rate of non-DA stalking DASH forms. The current DASH form asks questions regarding stalking and harassment and any positive answers in this section must result in the recording of a stalking crime. The Force has worked hard to excel in its recording of ‘behavioural crimes’ and its current ‘outstanding’ rating for Crime Data Integrity from HMICFRS reflects this. Whilst non-DA stalking crimes are being recorded over

80% do not have a corresponding DASH form which is not in keeping with Force Policy and impacts on the cumulative assessment of risk.

2. The handling of stalking and support/protection of victims

'How WYP tackle stalking reports, how victims are supported inc Stalking Protection orders and support for repeat/vulnerable victims.'

Handling of Reports of Stalking

In November and December 2021 SCGU undertook an audit and review of each of the five Force districts handling of stalking crimes and audited a number of DA and non-DA stalking crimes.

Strategically, stalking sits within the DA Tactical Plan, with the SCGU DCI (Adult) taking responsibility for the plan, and districts having responsibility for operational delivery and reporting back to the Tactical Delivery Group on their progress against actions set in the plan. Operational delivery covers the attendance, recording, primary investigation, secondary (specialist) investigation and support/intervention of stalking reports, including pre-charge and post-charge work arising from investigations.

All DA stalking case are, alongside all other DA crimes, initially be assessed by the districts' DA/Adult Safeguarding team supervisors for risk and allocated accordingly. This is a subjective professional assessment of risk. At present the majority of DA stalking crimes are then allocated to the DA teams but the majority of non-DA stalking cases are allocated to patrol or District Investigation Teams, with a small number of high-risk cases being investigated by the CID or Safeguarding teams.

As part of the Force's Safeguarding Review an Allocation Scoring Matrix has been created for all crimes. Whilst most cases of DA stalking will be allocated to the district safeguarding teams, non-DA stalking is allocated proportionately more to district uniformed investigation teams. Concerns have been raised on the SCGU audit about the assessment of cumulative risk in this process and the potential for apparently low risk incidents considered in isolation to be a small part of a much higher risk pattern of behaviour, especially for non-DA stalking. Concerns were also raised around the absence of a DASH form in the majority of non-DA stalking cases, which meant that overall risk could not properly be assessed. All districts showed examples of good practice with DA stalking, but this was less so with non-DA stalking where the investigation of lower risk cases, was often handled outside of the safeguarding teams.

Recommendations were made based on the audits and presented to the districts for consideration and in particular for them to ensure that appropriately trained staff dealt with their stalking cases and gave consideration to cumulative risk, especially with non-DA stalking.

Support for Victims

West Yorkshire Police does not routinely engage the services of Independent Stalking Advocacy Caseworkers (ISACs) in the same way it does IDVAs or ISVAs. The latter are both well established. Stalking organisations report that West Yorkshire as a geographic area does not have any ISACs and referral of victims to them from West Yorkshire Police is low.

That support for victims of stalking routinely currently comes through either district police DA Coordinators for lower risk DA stalking cases or through IDVAs for higher risk cases engaged in MARAC. In many cases there will be other DA criminality and so stalking may not be focussed upon as the primary risk. Non-DA stalking on the other hand is likely to be passed to victim support, but in both DA and non-DA cases referrals to specialist stalking support by police is likely to be indirect. A lack of general safeguarding support is likely to be higher amongst non-DA victims. This is not an acceptable position to be in.

SCGU have identified the need to have established and clear referral pathways for victims of DA and non-DA stalking to stalking advocacy support, like the National Stalking Helpline/Suzy Lamplugh Trust and Paladin.

Stalking Protection Orders

SPOs remain an area of development. West Yorkshire Police's overall use of SPOs, since their inception in January 2020 (under the Stalking Protection Act 2019), has been very low. Whilst the Force is not alone nationally in its low uptake of the orders, national reviews have identified a number of forces as leading the way in obtaining such orders. SCGU have spoken to both Sussex and Cheshire Police who have higher levels of SPOs, and both have dedicated – although very different - stalking units, which contribute to those higher figures.

SPOs are not like Domestic Violence Protection Orders. The processes for obtaining them are markedly different both for police and courts alike, as is the management of any breach of order. Legal Services within the Force must be engaged throughout the whole process of a SPO application, which requires a far higher degree of evidence than a DVPO would. They routinely take between 3-6 months to obtain, so should not be seen as a 'quick fix' and should not be seen as the first line of safeguarding a victim. It was never initially envisaged that large numbers would be obtained, but West Yorkshire Police's numbers are disproportionately low.

Whilst an input on SPOs is provided in the recently developed Safeguarding Supervisors' Course (48 officers have been trained in 2020 and 2021) this has not translated into an increase in SPO enquiries from the over 6,600 stalking offences recorded per year. SPOs are not part of the CoP S&H iLearn and so an opportunity to develop wider knowledge around them is missed (*see Training section of the report*). The reasons for not obtaining SPOs nationally appears to be lack of knowledge, a perception of complexity, and concern over the amount of work involved versus an officer's time available to make the application. This is reflected in West Yorkshire Police.

It is however accepted that SPOs are a valuable and underused option in certain cases of stalking, and so SCGU has worked with Legal Services to try to clarify the process for safeguarding investigators. The procedure has now been amended to ensure that officers who think that SPOs may be an option in a case, can liaise with Legal Services in the first instance. The case viability can then be discussed, and the formal application commenced if positive. This information has been refreshed on the SCGU Intranet page and disseminated on the Force's DA DI 6-weekly meeting. Whilst the Force still has only 3 SPOs in place, there has been a marked increase over the last few months in enquiries to Legal Services who are maintaining records of applications being made.

This is a positive step as obtaining that legal advice prior to submission saves on time and resources submitting an application that would not be supported. It also allows the officer to be clear with the victim and manage their expectations as to what can be achieved in their case.

Offender Management

SCGU will shortly take strategic responsibility for the Domestic Abuse Offender Management Cohort, which will have dedicated offender managers within each district managing the highest risk DA offenders. As part of this they will take responsibility for the management of SPOs and any high-risk stalking offenders (within agreed criteria).

SCGU are very clear about the lack of routine and consistent support for victims both from advocacy and protective orders. Work is required to develop clear referral pathways to support organisations and to improve and police SPOs.

Training

As part of the SCGU review of the approach to stalking, the current training has been examined. Student Officers receive an initial training input in Stalking and Harassment and existing officers must complete the mandated College of Policing S&H iLearn. In January 2022 SCGU have agreed with L&OD that the latest version from 2019 must be completed by officers who may have completed previous versions of the iLearn (which first introduced as mandatory in 2013). This ensures that basic awareness of S&H of all Police Officers, Special Constables and PCSOs is as up to date as the CoP product.

SCGU also identified gaps in specialist stalking training and is currently in negotiation with several stalking advocacy charities to arrange training for early Spring 2022. This will cover both frontline stalking awareness training to district nominated champions on patrol teams and more focused training aimed at nominated specialist investigators (constables and sergeants alike) within district Safeguarding and Domestic Abuse teams. It initially aims to train 84 officers across the five districts.

The aim of this training is to increase overall awareness of stalking on the frontline as well as upskilling those who have primacy for the investigations, by having specially trained officers who are able to share their knowledge with colleagues and improve investigative, support and protection standards across the Force.

3. Stalking hotspots and online offending

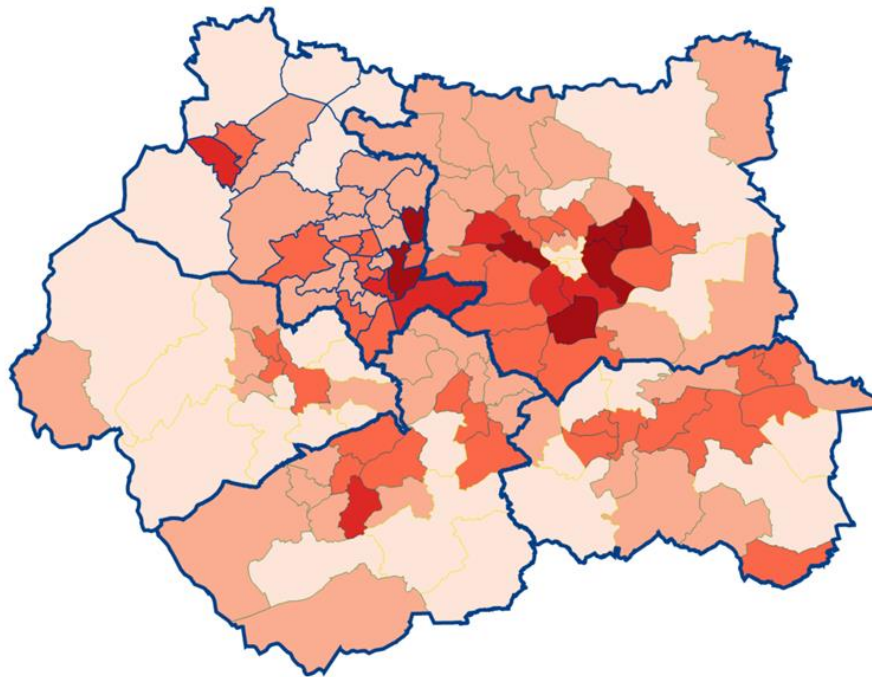
'Do the hotspot areas for harassment line up with the hotspots for stalking or are they in completely different areas? Online offences and how they are classified/recoded – age/sex and ethnicity data for victims and perpetrators if we have it and offender outcome rates.'

Stalking Problem Profile

The new SPP includes a review of data relating to location (geospatial ward-based data) in relation to DA and non-DA stalking. As the new SPP has focussed on stalking, as opposed to the remaining types of harassment, it cannot be determined whether stalking and harassment hotspots correspond. In terms of the location of stalking offence hotspots when compared against DA offence hotspots (using the Force's latest DA Problem Profile) the correspondence

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is noticeable. The same areas are hotspots for both. This is not perhaps surprising given the proportion of stalking offences recorded that are DA.



Stalking Offences per ward in West Yorkshire (colour coded per incident volume, red=high, pink=low)
(1 October 2020 – 30 September 2021)

Caution does however have to be exercised with this data. The hotspots correspond with lower socioeconomic areas. When the profile of suspects and victims is considered, the largest group are found to be 20-29-year olds, who are generally less well-established economically due to their age, and so hotspots may be a function of these areas having lower housing costs. In addition to this stalking that has been committed using technology is recorded from the place where a suspect lives, in the absence of any other evidence, and so again the hotspots may reflect the locations suspects live. Further work needs to be undertaken to understand the relationship between these factors, as it is unclear what application can be taken from the SPP at this time.

Outcomes

SCGU asked for the SPP to specifically separate DA and non-DA outcome rates, which below show that there were 5668 DA stalking cases compared to 460 non-DA stalking cases. Outcomes are recorded below but in percentage terms outcomes 1-8 for DA was 2.7% whereas for non-DA stalking it was 3.9%. This is likely to be a function of the fact that DA stalking includes what was previously DA harassment and therefore weaker in terms of meeting the evidential threshold for charge or other CJ outcomes. In keeping with DA generally, the outcome 16 percentage for stalking (where the victim does not support the investigation or prosecution) sits around 51%.

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Outcomes - Domestic	Districts					
	BD	CD	KD	LD	WD	Force
1: CHARGED	15	12	8	22	11	68
1: SUMMONSED/POSTAL REQUISITION	1	0	0	2	3	6
1A: ALTERNATE OFFENCE CHARGED	7	6	6	19	2	40
1A: ALTERNATE OFFENCE SUMMONSED/POSTAL REQUISITION	3	1	2	8	2	16
3: ADULT CAUTION	0	0	0	1	0	1
3: ADULT CONDITIONAL CAUTION	5	2	1	3	0	11
3A: ALTERNATE OFFENCE ADULT CAUTION	0	0	0	0	0	0
3A: ALTERNATE OFFENCE ADULT CONDITIONAL CAUTION	2	1	1	3	2	9
5: OFFENDER HAS DIED	1	1	0	0	0	2
8: COMMUNITY RESOLUTION	0	1	2	0	0	3
10: POLICE - FORMAL ACTION NOT IN PUBLIC INTEREST	1	1	1	0	0	3
12: NAMED SUSPECT TOO ILL TO PROSECUTE	1	0	0	1	1	3
13: NAMED SUSPECT BUT VICTIM/KEY WITNESS DECEASED OR TOO ILL	1	0	1	0	0	2
14: VICTIM DECLINES/UNABLE TO SUPPORT ACTION TO IDENTIFY OFFENDER	2	1	1	2	1	7
15: CPS - NAMED SUSPECT, VICTIM SUPPORTS BUT EVIDENTIAL DIFFICULTIES	38	18	12	60	13	141
15: POLICE - NAMED SUSPECT, VICTIM SUPPORTS BUT EVIDENTIAL DIFFICULTIES	332	131	236	478	229	1406
16: VICTIM DECLINES/WITHDRAWS SUPPORT - NAMED SUSPECT IDENTIFIED	762	273	481	988	402	2906
17: SUSPECT IDENTIFIED BUT PROSECUTION TIME LIMIT EXPIRED	2	1	5	8	2	18
18: INVESTIGATION COMPLETE NO SUSPECT IDENTIFIED	11	0	8	13	8	40
20: OTHER BODY/AGENCY HAS INVESTIGATION PRIMACY	0	0	1	1	0	2
21: POLICE - NAMED SUSPECT, INVESTIGATION NOT IN THE PUBLIC INTEREST	0	0	2	0	0	2
22: DIVERSIONARY, EDUCATIONAL OR INTERVENTION ACTIVITY NOT IN PUBLIC INTEREST TO TAKE FURTHER ACTION	0	0	2	2	0	4
(blank)	250	79	178	315	156	978
Totals	1434	528	948	1926	832	5668

Outcomes recorded in connection with DA Stalking Offences by district (1st October 2020 - 30th September 2021).

Outcome - Non Domestic	Districts					
	BD	CD	KD	LD	WD	Force
1: CHARGED	3	0	1	7	0	11
1: SUMMONSED/POSTAL REQUISITION	0	0	0	0	1	1
1A: ALTERNATE OFFENCE SUMMONSED/POSTAL REQUISITION	0	0	0	1	0	1
3: ADULT CONDITIONAL CAUTION	2	0	0	0	1	3
3A: ALTERNATE OFFENCE ADULT CAUTION	0	0	0	1	0	1
8: COMMUNITY RESOLUTION	0	0	0	0	1	1
12: NAMED SUSPECT TOO ILL TO PROSECUTE	0	0	0	1	0	1
14: VICTIM DECLINES/UNABLE TO SUPPORT ACTION TO IDENTIFY OFFENDER	3	3	1	0	0	7
15: CPS - NAMED SUSPECT, VICTIM SUPPORTS BUT EVIDENTIAL DIFFICULTIES	2	0	0	0	0	2
15: POLICE - NAMED SUSPECT, VICTIM SUPPORTS BUT EVIDENTIAL DIFFICULTIES	27	10	21	35	14	107
16: VICTIM DECLINES/WITHDRAWS SUPPORT - NAMED SUSPECT IDENTIFIED	43	8	24	51	19	145
17: SUSPECT IDENTIFIED BUT PROSECUTION TIME LIMIT EXPIRED	0	1	0	1	0	2
18: INVESTIGATION COMPLETE NO SUSPECT IDENTIFIED	35	4	13	41	9	102
21: POLICE - NAMED SUSPECT, INVESTIGATION NOT IN THE PUBLIC INTEREST	0	0	0	1	0	1
(blank)	22	11	11	23	8	75
Totals	137	37	71	162	53	460

Outcomes recorded in connection with DA Stalking Offences by district (1 October 2020 - 30 September 2021)

The SPP does include a section of cyber enabled offences. At present only 10% of stalking offences are flagged as 'cyber enabled'. Flagging generally, and cyber enabled flagging specifically, remains an area of development across the Force (in many crime types) and so the accuracy of this data is questioned. The SPP found that a number of DA stalking offences when checked had use of social media and technology in the MO but the cyber enabled flag was not active.

Whilst the demographic data in the SPP is sound, an assessment of the demographic breakdown of what is currently recorded as cyber enabled will present only a partial picture. Again, this is an area of development around data quality.

Allan Raw, Detective Chief Inspector
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February 2022