

Lincolnshire Police

Policy Document



Stalking or harassment policy PD 160

Policy document information

Reference number:	PD 160
Policy sponsor:	ACC
Policy owner:	Head of Crime – Detective C/ Superintendent Liz Rogers
Author:	Detective Superintendent Cox Head of PVP
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Version history

Version	Date	Reason for issue
8	August 2019	Biennial Review
9	August 2021	Biennial Review, updates in College of Policing guidance
10	September 2023	Biennial Review
11	September 2025	Biennial Review

Code of Ethics

All staff involved in carrying out functions under this policy and associated procedures and appendices will do so in accordance with the principles of the Code of Ethics. The aim of the Code of Ethics is to support each member of the policing profession to deliver the highest professional standards in their service to the public.

Legislative compliance

This document has been drafted to comply with the principles of the Human Rights Act. Proportionality has been identified as the key to Human Rights compliance, this means striking a fair balance between the rights of the staff and those of the rest of the community. There must be a reasonable relationship between the aim to be achieved and the means used.

Equality and Diversity issues have also been considered to ensure compliance with the Equality Act 2010 and meet our legal obligation in relation to the equality duty. In addition, Data Protection, Freedom of Information and Health and Safety Issues have been considered. Adherence to this policy or procedure will therefore ensure compliance with all relevant legislation and internal policies.

Other legislation/law which this policy has been drafted to comply with:

- [Human Rights Act 1998 \(in particular A.14 – Prohibition of discrimination\)](#)
- [Equality Act 2010](#)

- [Crime and Disorder Act 1998](#)
- [H&S legislation](#)
- [Data Protection Act 2018](#)
- [Freedom Of Information Act 2000](#)
- Protection from Harassment Act 1997 & the Stalking Protection Act 2019

Security classification

Policy to be published on Intranet: Yes

Policy to be published on Force Website: Partially – Outline Document only

Authorised Professional Practice (APP)

This Policy has been checked against APP and latest guidance is now available on the website [Stalking or harassment \(college.police.uk\)](#)

The documents listed on this webpage by the College of Policing now override any advice contained within [ACPO \(2009\) Practice Advice on Investigating Stalking and Harassment](#) and [College of Policing \(2013\) Briefing Note for Amendments to the Protection from Harassment Act 1997](#) relating to the initial police response.

1. Policy aims (Purpose)

1.1. The priorities of the police service in responding to stalking or harassment are to:

- Protect the lives and preserve the safety of all victims and others who may be at risk as a result of stalking and/or harassment
- Investigate all reports of stalking or harassment
- Facilitate effective action against offenders so that they can be held accountable through the criminal justice system
- Adopt a proactive and, where appropriate, multi-agency approach to preventing stalking or harassment.

- 1.2. This policy aims to give a clear statement of commitment, which every officer of Lincolnshire Police must have to take firm action against those that commit stalking and harassment offences and the provision of caring support for those who suffer it.

2. Policy statement (Key information)

College of Policing provides guidance on the legal definitions and responses to stalking and harassment. Stalking is defined as a pattern of unwanted, fixated and obsessive behaviour that is intrusive, which can include harassment that amounts to stalking or stalking that causes fear of violence or serious alarm or distress. Harassment is defined as behaviour intended to cause a person alarm or distress, occurring on more than one occasion. Both offence are serious crimes under the Protection from Harassment Act 1997. Stalking is NOT defined in law but is assessed and determined on the premise of fixated, obsessive, unwanted and repetitive behaviours (FOUR)

- 2.1. Lincolnshire Police is committed to reducing and detecting crime and bringing offenders to justice. Stalking or harassment can have a significant national impact and could be deemed a critical incident and fall in line with our Critical Incidents (Policy PD104).
- 2.2. Investigations relating to stalking or harassment can be linked to some of the most serious crime that the police deal with including murder, sexual offences and domestic abuse. The impact of stalking or harassment on victims, families and communities can be devastating.
- 2.3. Effective police responses to crimes related to stalking or harassment can have a direct impact on improving public satisfaction and confidence in the criminal justice system and bringing offenders to justice.
- 2.4. The delivery of this policy at force level will contribute to making communities safer and delivering a more effective, transparent and responsive criminal justice system for victims and the public.
- 2.5. **It is the duty of Lincolnshire Police Officers to investigate any allegation of stalking or harassment.**
- 2.6. This policy aims to adopt the new College of Policing Guidance, providing a clear statement of commitment, which every officer of Lincolnshire Police must have to take firm action against those that commit offences of stalking or harassment and the provision of caring support for those who suffer it.

- 2.7. The policy seeks to standardise procedures for dealing with such offences. Evidence drawn from extensive research conducted nationally, indicates that only Forces who are uniform in their approach to the problem, using corporate methods, are effective to any measurable degree in their attempts.
- 2.8. The primary intention of this policy is to ensure that Lincolnshire Police provide an effective and consistent response to stalking or harassment incidents anywhere within the police area, using all powers available such as arrest, prosecution and/or ancillary orders such as Stalking Protection Orders.
- 2.9. The secondary intention is to raise the awareness of Lincolnshire Police employees to the fact that, when attending such incidents, the unique circumstances of the incident, or the effectiveness of their response to it, could have a significant impact on the confidence of the victim, their family and/or the community.

HMICFRS inspection reports for stalking and/or harassment have raised concerns and there have been a number of fatal cases that indicate responders didn't recognise risk. This can be a difficult area because of the imprecision of definitions and understanding of risk. **Our first duty must be to increase safety.**

The new College of Policing products are available through the appendices of this policy for ease, but the most up to date will always be on the website - [Stalking or harassment \(college.police.uk\)](https://college.police.uk).

- 2.10. This policy deals with public claims of stalking or harassment and does not include civil claims of Lincolnshire Police staff who believe that they are subject to harassment at work unless they are reported to the police as a criminal offence.

3. Other related documents and appendices

- 3.1. Please list any relevant documentation here, such as other policies that are linked to this one, guidance documentation and the appendices.
- Appendix A – Advice for Supervisors, Managers and Senior Leaders on leading an effective policing response to stalking or harassment offences – found at [Advice-supervisors-managers-senior-leaders-stalking-harassment-offences.pdf \(college.police.uk\)](https://college.police.uk)

- Appendix B – Advice for Investigators – found at [Stalking or harassment: Advice for investigators on effective investigation \(college.police.uk\)](https://college.police.uk/stalking-harassment/advice-for-investigators-on-effective-investigation)
- Appendix C – Advice to police responders to ensure an effective response to stalking or harassment – found at [Stalking or harassment | College of Policing](https://college.police.uk/stalking-harassment)
- Appendix D – College of Policing (2021) Revenge Pornography [Sharing photographs or film of people in an intimate state | College of Policing](https://college.police.uk/stalking-harassment/revenge-pornography-sharing-photographs-or-film-of-people-in-an-intimate-state)
- Appendix E – Flowchart for Initial Response - found at [APP-Stalking-harassment.png \(620×920\) \(college.police.uk\)](https://college.police.uk/stalking-harassment/app-stalking-harassment.png)
- Appendix F – [PowerPoint Briefing for Initial Response](https://college.police.uk/stalking-harassment/powerpoint-briefing-for-initial-response)
- Appendix G – Stalking Protection Orders – latest guidance on SPOs is also found on the College of Policing website [Stalking or harassment \(college.police.uk\)](https://college.police.uk/stalking-harassment)
 - Statutory Guidance
 - Briefing Note for Practitioners
 - SPO Briefing Presentation for Authorising Officers
 - SPO Process Map for Authorising Officers
 - SPO Process Map for Practitioners
 - SPO Checklist
 - SPO National Forms are also on the [CoP website](https://college.police.uk/stalking-harassment)
- Appendix H – Public Protection Tactical Menu of Options
- Appendix I - Joint Protocol (2018) on the Appropriate Handling of Stalking or Harassment offences between the NPCC and CPS.

Force Materials

- Cyber Stalking Leaflet
- Stalking / Harassment Diary (for victims to use where appropriate)
- Stalking / Harassment Booklet
- National Stalking Helpline Leaflet
- Ancillary Order booklet

4. Monitoring and review

- 4.1 This policy will be subject to on-going review by the DCI PSH to ensure that any changes in legislation, guidance or procedures are incorporated as soon as possible. A formal review will be conducted biennially.

5. Who to contact about this policy

- 5.1. This policy is owned by the Head of Protecting Vulnerable Persons Unit. Any enquires about this policy should be directed to the Detective Superintendent Rachael Cox who is Stalking and Harassment lead for the force Rachael.Cox@lincs.police.uk