

## CPS Response to HMIC/HMCPSI Joint Thematic Inspection of Harassment and Stalking Offences

05/07/2017

HMIC and HMCPSI have today [5 July 2017] published a report into the response of policing and the Crown Prosecution Service (CPS) to crimes of harassment and stalking.



We are pleased the report acknowledges there is clear leadership shown at all levels by the CPS and police in relation to this type of offending; that the cases examined were mostly charged correctly and that inspectors had seen examples of prosecutors taking positive action to protect victims, with restraining orders being sought and granted in the vast majority of cases where an application was required.

We accept prosecutors need to consider the cumulative effect that a perpetrator's offending has upon the victim. We acknowledge that a failure to consider the wider history of offending can result in the under-charging of offenders, the inappropriate acceptance of pleas to lesser offences and failure to take adequate steps to protect victims.

We accept there is more that can be done to improve performance and the service that we provide to victims of these serious offences. We will work with our partners in policing and other key stakeholders to develop a comprehensive action plan, which will be monitored on a regular basis and progress reported to our senior leaders and to the inspectorate.

The report contains twelve recommendations, three of which are addressed to the CPS alone and four of which are addressed to the CPS together with our colleagues in policing. The recommendations and our responses are set out below:

### Inspectorate's Issues to Address for CPS

1. The National Police Chiefs Council lead and the CPS policy lead for harassment and stalking should review the stalking protocol and re-issue this to forces and CPS Areas. Chief Constables and CPS Area leads should monitor compliance with the stalking protocol and ensure that it is being properly adhered to.

**CPS Response:** We will work with our partners in policing to review the stalking protocol to emphasise the importance of forces providing all relevant information, including risk assessments, to us. We will use existing compliance tools, such as our refreshed Violence against Women & Girls (VAWG) assurance process (which is led and monitored locally by Chief Crown Prosecutors) and Individual Quality Assessments (IQA) (which are overseen by Deputy Chief Crown Prosecutors) to ensure that this information is provided.

2. The College of Policing and the CPS should work together to provide clear guidance in relation to the application for restraining orders and a revision of the current version of the summary of evidence form, in order to ensure a consistent and appropriate response.

**CPS Response:** We will update our legal guidance and will work with the police to revise the documentation required to support applications for restraining orders.

3. The CPS should reinforce and reiterate guidance to prosecutors in relation to the acceptability of accepting pleas to harassment instead of pursuing stalking charges.

**CPS Response:** We will update our legal guidance with real life case studies which will reinforce to prosecutors the true impact of stalking and ensure that the guidance is clear on the steps that they need to take in consulting police and victims if a plea to a lesser or alternative offence is offered.

4. The CPS should introduce a process into scrutiny panels to examine harassment and stalking cases on a regular basis. The CPS should improve the process whereby lessons learned can be passed between CPS Direct and CPS Areas.

**CPS Response:** We will expand the remit of the VAWG Scrutiny Panels to include harassment and stalking matters and this type of case will also be considered by our National Casework Committee. The feedback and best practice emanating from these groups will be disseminated across all parts of the CPS, including CPSD.

5. The College of Policing should consider the contents of this report and publish the new harassment and stalking Authorised Professional Practice as a matter of urgency. The CPS should consider the contents of this report, and the College of Policing Authorised Professional Practice when published, and thereafter review the current CPS legal guidance.

**CPS Response:** We will ensure that our updated legal guidance reflects the content of this report and the College of Policing's revised APP, when published.

6. The CPS should ensure that improvements are made to the prosecution of harassment and stalking offences by ensuring that all lawyers and prosecutors have received training in harassment and stalking.

**CPS Response:** We will update the Stalking and Harassment e-learning and make it mandatory for all lawyers.

7. The National Police Chiefs' Council and CPS stalking leads should review the system of stalking SPOCs and ensure that this is fully effective and operating consistently for victims in all areas.

**CPS Response:** A job description for stalking leads will be developed and published setting out clearly the requirements and expectations of the role. VAWG Strategy Managers will support this by holding a webinar with leads focussing on the lessons to be learned from this report and the importance of their role in engaging with scrutiny panels and driving up performance. Stalking leads will provide reports on Area performance through the VAWG assurance process in response to which VAWG Strategy Managers will provide feedback to ensure that actions to drive up performance are consistent and effective.