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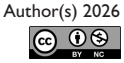
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Justice in Progress: Exploring Approaches, Barriers and Delays to Managing Stalking

Cassidy J. Weekes[1], Jennifer E. Storey[2], and Afroditi Pina[1]

Abstract

Despite the development of various criminal justice responses and advocacy services to protect and support victims, many cases of stalking still fail to achieve a stalking charge or involve appropriate legal penalties. This study aimed to investigate at which stages, and why, cases of stalking involving advocacy support fail to progress within the criminal justice system by analysing criminal justice responses, case outcomes, barriers and delays and attrition within 442 stalking cases involving advocacy support in England and Wales. Most cases involved at least one legal penalty, most often the arrest of the perpetrator and implementation of bail conditions. Fewer cases achieved a stalking charge, protective order or a custodial sentence, but the presence of these legal penalties was significantly associated with cessation of stalking. However, over half of cases faced at least one barrier or delay in their progression, resulting in significant attrition.

Keywords

stalking, perpetration, criminal justice, police, courts, advocacy, victim support

Introduction

Stalking, understood as any repeated, unwanted behaviour that causes alarm, distress or fear is a criminal offence in England and Wales under the Protection from Harassment Act 1997 and Protection of Freedoms Act 2012. Under Section 2A of these legislations, it is prohibited to engage in a course of conduct (i.e., two or more incidents) of unwanted behaviour that amounts to stalking, which can include unwanted contact, following a person or loitering. Under Section 4A of these legislations, it is prohibited to engage in a course of conduct that amounts to stalking, which causes the victim to feel alarm, distress or fear of violence that impacts their day-to-day life (Protection from Harassment Act, 1997; Protection of Freedoms Act, 2012). Cyberstalking, understood to be any unwanted, repeated online behaviour that causes alarm, distress or fear (Wilson et al., 2022), is not defined distinctly under these legislations but falls within this legal remit.

The criminal justice system in England and Wales is equipped with a variety of legal penalties to prevent stalking recidivism and protect victims. Once an investigation of stalking is opened, a

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perpetrator may initially be served an informal verbal warning by police (Police, Crime, Sentencing and Courts Act, 2022). The efficacy of verbal warnings in deterring stalking reoffending has been contested. Research by Baum (2009) identified police warnings to be the most common reason for stalking cessation; however, Storey and Hart (2011) identified that informal verbal warnings were generally ineffective and inappropriate in preventing ongoing stalking. Alternatively or in addition, a caution is a formal written warning which can be given by police to a perpetrator (Police, Crime, Sentencing and Courts Act, 2022). Cautions, however, are problematic in stalking investigations. A caution is an out-of-court disposal method, acting as a legal resolution to a case without further involvement of the criminal justice system. This means that if the stalking continues beyond the caution being issued, the victim must report these behaviours to police as a 'new' stalking offence despite experiencing the same course of conduct. In line with this, evidence of stalking prior to the caution cannot be used in the new investigation (The Crown Prosecution Service, 2018), which may impact the ability of the case to meet the evidentiary threshold to charge the perpetrator with stalking.

A police investigation may also involve the arrest of the perpetrator and implementation of pre- or post-charge bail conditions, which can provide short-term protection of the victim by prohibiting the perpetrator from contacting the victim in person or online and imposing geographical restrictions. If reported to or identified by police, a breach of pre-charge bail is not itself a criminal offence but the perpetrator may be re-arrested for the original offence. At this point, the police may hold the perpetrator on remand (in custody) until a charge is authorised, or re-release the perpetrator on further pre-charge bail conditions. If a charge is not authorised, the suspect is released without charge either with or without the existing bail conditions. If a charge is authorised, post-charge bail conditions may then be enacted. A breach of post-charge bail is a criminal offence and, if reported to or identified by police, the perpetrator can be arrested. At this point, the perpetrator can be brought before a court to have their bail status reconsidered. The court may decide to revoke bail and hold the perpetrator in custody or may decide to amend the bail conditions under which the perpetrator can be released (The Crown Prosecution Service, 2025).

In England and Wales, there are three different types of protective orders that can be enforced to prevent further stalking perpetration, pre- and post-charge. First, a Non-Molestation Order is a civil order that the victim can apply for alongside any ongoing police investigation. A Non-Molestation Order places restrictions on the perpetrator, however, does not require the perpetrator to be charged with stalking meaning this order can be enacted earlier on in a case, without needing to meet the evidentiary threshold for a charge. A Non-Molestation Order is only possible in cases involving a perpetrator who is an ex-intimate partner or family member of the victim and so cannot be used in all cases. Second, a Restraining Order can be granted by a judge if a perpetrator is charged with stalking and the case proceeds to criminal court where the perpetrator pleads guilty or is found guilty. This is a criminal order that places restrictions on the perpetrator, prohibiting contact with the victim and enforcing location-based restrictions. Restraining Orders have been found to be generally effective in reducing stalking recidivism (Logan et al., 2007) and improving feelings of safety in stalking victims (Ammar et al., 2012; Logan et al., 2007; Logan & Walker, 2009).

Third, a Stalking Protection Order is a civil order that can be applied for by the police during a stalking investigation, before or after the perpetrator is charged. A Stalking Protection Order is applicable in cases where the perpetrator poses a risk of physical or psychological harm to the victim, and it is necessary to protect the victim from such risk (Stalking Protection Act, 2019). Like the Restraining Order, a Stalking Protection Order places restrictions on a perpetrator, such as prohibiting victim contact; however, it can also be used to implement positive requirements of the perpetrator such as compulsory mental health assessment, attendance at a behaviour intervention programme or submission of personal devices to the police. Breaching a Stalking Protection Order is a criminal offence. Stalking Protection Orders are relatively new, first implemented in

England and Wales in 2020, and so subject to limited research. However, a review in 2022 indicated that Stalking Protection Orders were viewed positively by police and deemed more effective in protecting the victim and deterring stalking recidivism than pre-charge bail conditions (Home Office, 2023). Alongside protective orders, a perpetrator of stalking may be given a suspended or custodial sentence if they plead guilty or are found guilty in court.

Despite the availability of these various legal penalties, several areas of failure persist within U.K.-based police responses to stalking. Specifically, police often fail to correctly identify stalking incidents, fail to conduct effective and thorough investigations, give inappropriate and unhelpful advice to victims, fail to identify risks associated with stalking and fail to apply for appropriate protective orders (Suzy Lamplugh Trust & National Stalking Consortium, 2022). Taylor-Dunn et al. (2021) identified that 54% of stalking victims reported a lack of understanding or appreciation by the police that the offending behaviours were serious enough to constitute a criminal offence. This could be explained by a lack of knowledge within the police, demonstrated by Martellozzo et al. (2023), who identified that only 61% of police officers felt knowledgeable of what behaviours constitute cyberstalking, and only 69% of police officers reported understanding the associated risks to victims of cyberstalking. Officers remarked that their lack of confidence in managing cyberstalking was partly due to the ever-changing nature of technology and always feeling several 'steps behind' (Martellozzo et al., 2023, p. 696). This gap in knowledge may reflect the temporal context of this data, which was collected during the COVID-19 pandemic. During this time, the prevalence of stalking increased significantly (Shadwell, 2021), meaning many police officers may have been managing stalking cases for the first time. Stalking is at risk of being misattributed and charged as other offences, such as harassment, malicious communications or image-based sexual abuse (O'Shea et al., 2019; Taylor-Dunn et al., 2021), or dealt with as individual incidents rather than a course of conduct (Korkodeilou, 2014; Suzy Lamplugh Trust & National Stalking Consortium, 2022; Taylor-Dunn et al., 2017). This can have significant implications for the management of a case through the criminal justice system, as legal penalties are generally less severe for offenders of harassment than offenders of stalking and evidence of a course of conduct is required to secure a stalking charge (The Crown Prosecution Service, 2025). Low conviction rates and issues with the successful management of stalking have been identified internationally, including in the United States, Canada and EU member states (Backes et al., 2020; Storey & Hart, 2011; Van der Aa, 2018). For instance, findings from the United States highlight that stalking remains under-prosecuted, attributed to various barriers in the progression of stalking cases through the criminal justice process (Bouffard et al., 2021; Brady & Nobles, 2017). Namely, police demonstrate an unwillingness or incapacity to pursue stalking charges, express victim-blaming attitudes, give poor advice to victims and fail to communicate effectively when a case involves multiple jurisdictions (Backes et al., 2020).

Given the complex and often continuous nature of stalking victimisation and evident mismanagement of cases within the criminal justice system, victim support and advocacy services have the potential to improve victims' access to, and engagement with, the criminal justice process and improve case outcomes (Taylor-Dunn, 2016). Victims of stalking face psychological and practical barriers when deciding whether to report their experiences, particularly due to fear of escalation from the perpetrator, feelings of shame or stigma and concerns with providing sufficient evidence (Short et al., 2026). To remedy some of these challenges, specialist stalking advocates can help victims to understand their rights when reporting stalking to the police and advise victims about how best to record evidence of stalking incidents. This is particularly pertinent for the successful provision of protective orders and securing a stalking charge. Advocates can also liaise directly with police and courts to promote an efficient and timely justice response within a case and reduce the chance of case mismanagement or misclassification (Suzy Lamplugh Trust & National Stalking Consortium, 2022). Victims report that specialist stalking advocacy involvement can improve their ability to cope with victimisation, encourage greater control over their case management and

streamline the victim's involvement with the justice system by providing a single point of contact (Short et al., 2026). While advocacy services can benefit victims, it should be noted that a victim's likelihood to seek support from an advocacy service can be influenced by various personal and situational factors. For instance, male or ethnic minority victims are less likely to seek support than female or White victims (Reyns & Englebrecht, 2014). Fear of retaliation from the perpetrator can also prevent a victim from reporting an offence or seeking support (Wolf et al., 2003). Victims who feel significant fear and psychological impact as a result of victimisation are more likely to seek formal support than victims who perceive the situation as less serious (McCart et al., 2010). Research also suggests that victims who receive informal support from family and friends are more likely to utilise formal support services (Starzynski et al., 2007).

It is estimated that only around 23% of stalking victims in England and Wales access ongoing specialist stalking advocacy support (Suzy Lamplugh Trust & National Stalking Consortium, 2022). Notwithstanding, preliminary findings indicate that stalking victims who do access support from an advocacy service are more likely to experience a positive case outcome than national averages. For instance, within a small sample of 67 stalking cases in England and Wales which involved advocacy support, 30% of these cases achieved a stalking charge, and 25% of these cases achieved a stalking conviction, compared with national averages of 0.23% and 0.1%, respectively during the same time period (Suzy Lamplugh Trust & National Stalking Consortium, 2022). Despite the positive impacts of stalking advocacy identified, most cases of stalking in the sample that accessed advocacy support still failed to result in a stalking charge or conviction, and it is unknown at what stages, and why, these cases failed to progress. While it cannot be assumed or expected that all cases of stalking will lead to a stalking charge or conviction, these preliminary findings suggest that a significant proportion of stalking cases experience attrition as they move through the justice system, even when involving advocacy support. Nevertheless, no empirical research to date has explored the barriers and delays that lead to attrition in cases of stalking involving advocacy support in England and Wales.

The Current Study

Questions remain as to why many stalking cases involving advocacy support experience attrition within the criminal justice system, and specifically what barriers or delays these cases face in their progression through the justice process. This study includes a large sample of stalking cases involving advocacy support in England and Wales and aims to identify the prevalence of criminal justice responses to stalking within the sample. The study also aims to identify whether these criminal justice responses were associated with case outcomes, that is, cessation of stalking, and what barriers and delays in progression of cases through the criminal justice system were faced within the sample, resulting in attrition. This study aims to answer the following research questions:

Research Question 1: What were the criminal justice responses to cases of stalking in the sample, and were these associated with case outcomes?

Research Question 2: What were barriers and delays to the progression of stalking cases through the criminal justice system in the sample, and at what stages did case attrition occur?

Method

Materials

The Suzy Lamplugh Trust is a U.K.-based registered charity that runs the National Stalking Helpline and a stalking advocacy service. The National Stalking Helpline is free to contact via telephone or email and open to any individual in the United Kingdom seeking advice or support

about harassment, stalking or cyberstalking. A helpline responder can refer a user of the National Stalking Helpline to the stalking advocacy service of the Suzy Lamplugh Trust for further ongoing support. A victim of stalking can also be referred to the stalking advocacy service by a charity or by the police. The advocacy service accepts cases where the behaviour experienced by the victim has been identified as stalking according to the Protection from Harassment Act 1997 and Protection of Freedoms Act 2012. As dictated by the Suzy Lamplugh Trust, the case must have been reported to the police to be accepted into the advocacy service. The advocacy service provides a service user with ongoing specialist support by assigning them a stalking advocate. The advocate will have regular contact with the service user to help them engage with the criminal justice process, provide ongoing advice around evidence collection and legal processes, signpost the service user for emotional or practical support and liaise with police or other support services. Herein, service users will be referred to as *victims* of stalking, the individuals engaging in stalking and/or cyberstalking will be referred to as *perpetrators* of stalking, and each overarching stalking situation reported to the Suzy Lamplugh Trust will be referred to as the *case*.

Included in this study were cases of stalking, defined as per the Protection from Harassment Act 1997 and Protection of Freedoms Act 2012 that were opened by the advocacy service and had a minimum of 20 contacts between the victim and the advocate. The threshold of 20 incidents of contact was adopted as an inclusion criterion following a review of a sample of 25 randomly selected cases by the first author prior to coding, to identify suitability. Ten of these cases had fewer than 20 contacts between the victim and advocate, and these cases were found to lack sufficient information to complete the coding for the variables of interest. It is acknowledged that this criterion excludes cases of stalking where the victim was not help-seeking and cases where the victim did seek initial support but did not receive ongoing advocacy. The sample therefore was not intended to be representative of most stalking cases in England and Wales, as many cases go unreported, often due to lack of perceived seriousness by victims (Brady, 2023). The sample represents a portion of cases of stalking in England and Wales that are reported to the police and receive ongoing specialist stalking advocacy support, and is a reflection of the available dataset. The sample is still highly informative due to the quality and richness of the data provided in the case records, representing 'real-world' cases of stalking.

The information available for this study was information ordinarily collected and recorded within a client record on the Suzy Lamplugh Trust database by advocates in drop-down menus (e.g., demographic information) and free text boxes (e.g., methods of stalking or cyberstalking). Client records were populated by advocates during their contact with the victim and based on information provided by victims. Advocates are trained by the Suzy Lamplugh Trust to collect relevant information from victims, including the methods of stalking or cyberstalking experienced, duration of stalking, experience of the criminal justice system and impacts on the victim. Advocates may also have contact with external agencies regarding the victim's case, such as other charities and the police, and will upload the information they provide to the client record.

Procedure

Permission to use the data was obtained from the Suzy Lamplugh Trust via a data sharing agreement, and ethical approval for the study was provided by the psychology ethics committee at the University of Kent. The author and the second rater, in addition, passed a Disclosure and Barring Service (equivalent to a criminal record check). The sample was taken from cases accepted into the advocacy service between 2017 and 2024. A total of 904 cases were screened, 646 by the author and 258 by the second rater, and from these, 462 cases were excluded due to insufficient information recorded in the database (i.e., fewer than 20 recorded instances of contact between the advocate and victim). Thus, a total of 442 cases were included in the study.

Client records were coded electronically by the first author using a codebook to extract variables of interest. The codebook was developed by the authors to extract relevant information about

the nature of each stalking case, including the criminal justice responses within each case. Interrater reliability testing was conducted on a sample of 50 cases (11% of the total included cases) between the author and a graduate-level second rater, blind to each other's ratings. The intraclass correlation coefficient (ICC) values for each continuous variable varied from .52 to .89, indicating moderate to good agreement, and the Kappa values for each categorical variable ranged from .56 to .58, indicating good agreement. For both ICC and Cohen's Kappa coefficient, a value of .5 and above is considered sufficient to establish interrater reliability (Koo & Li, 2016; Landis & Koch, 1977). The first author's coding was used for all cases included in the final analysis.

Variables

Victim and Perpetrator Demographics. Demographic details included sex or gender identity of victim and perpetrator, categorised as male, female, non-binary or unknown. Victim and perpetrator age was categorised, as exact dates of birth were not always available (<18; 18–25; 26–35; 36–45; 46–55; 56–65; 66+; unknown).

Timeline. Key dates were coded from the advocates' entries, indicating when the case was opened by the advocacy service; when the stalking began; when the case was first reported to the police; and when the police opened and closed the investigation. Dates were compared with calculate the lengths of cases or investigations in months.

Criminal Justice System Responses. The case inclusion criteria dictated that all cases had been reported to the police. Using information recorded by advocates in the database regarding the ongoing investigation, the author identified criminal justice responses for each case. The criminal justice responses were categorised into the three stages below.

Investigation Status. The investigation status for each case was coded by the author as one of the following options: no investigation opened; investigation opened without further action; or investigation opened and conducted.

Criminal Justice Responses. For cases where an investigation had been opened and conducted, the justice responses for each case were coded as present or absent across six items; cases could include more than one criminal justice response. Responses included issuing a verbal warning; a caution; and/or arresting the perpetrator. If the perpetrator had been arrested, responses included: the perpetrator was released without bail conditions; released with bail conditions; or held on remand.

Criminal Justice Outcomes. Nine criminal justice outcomes were coded as present or absent for each case, and multiple outcomes were possible. Responses included: the perpetrator was charged with stalking; the perpetrator was not charged with stalking; the perpetrator was given a Probation Order; a Stalking Protection Order; a Non-Molestation Order; a Restraining Order; a suspended sentence; a custodial sentence; or the perpetrator was found not guilty.

Barriers and Delays Within the Criminal Justice System. A list of potential barriers or delays faced by victims as their case progressed through the criminal justice system was generated from the research literature (e.g., Martellozzo et al., 2023; Taylor-Dunn et al., 2021) and from an initial review of 25 cases by the first author. A barrier refers to a factor that prevents the progression of a case through the justice system; a delay refers to a factor that delays the progress of a case through the justice system but does not prevent its progression. The 15 barriers and delays were coded as present or absent; cases could include more than one barrier or delay. Barriers included that the perpetrator was located outside of the United Kingdom; the perpetrator was located in a different county to the

victim; the perpetrator was not located; the perpetrator was not identified; the perpetrator was sectioned during the investigation; the victim disengaged from the police investigation; or that the victim did not pursue prosecution. Delays included delays with the assignment of an investigating officer; with obtaining responses from the investigating officer; with court dates; with the arrest of the perpetrator; with evidence collection; with statement collection; as well as delays in sending the case to the Crown Prosecution Service (CPS); or delays from CPS decisions.

Case Outcome. The outcome of each case was coded as one of the following options: the stalking stopped; the victim disengaged; the stalking continued; or the outcome was unclear.

Analyses

Frequency analyses were conducted to examine the demographics of victims and perpetrators, the prevalence of criminal justice responses within the cases, the prevalence of barriers or delays in the progression of cases through the criminal justice system, and the attrition of cases through the stages of the criminal justice system. The dates of the enactment of criminal justice responses were not extracted in the coding process, preventing the statistical prediction of case outcomes. Thus, chi-square analyses were conducted as an alternative to identify associations between criminal justice responses and case outcomes.

Results

Victim and Perpetrator Demographics

Demographic information of victims and perpetrators can be found in Table 1. Victims were mostly female (91.6%, $n = 405$) and perpetrators were mostly male (84.8%, $n = 375$). The majority of cases (81%, $n = 358$) involved a female victim targeted by a male perpetrator, with just 4.1% of cases ($n = 18$) involving a female perpetrator and a male victim. Only 8.6% of cases ($n = 38$) involved both a female victim and female perpetrator, and 2.5% of cases ($n = 11$) involved both a male victim and male perpetrator. Victims were aged between 16 and 74 years, with a mean age of 37.4 ($SD = 11.15$) and were 91.6% female ($n = 405$). Information on perpetrator age was unavailable in 72.9% ($n = 322$) of cases; however, of the cases that did include perpetrator age, the most common age group was 26 to 35 years (33.3%, $n = 40$), followed by 36 to 45 years (27.5%, $n = 33$). Information on perpetrator ethnicities was not available; victims were 52% White British, with the remainder of victims spanning multiple ethnicities, including 7.7% Asian, 4.5% Black and 6.6% Mixed Race.

Criminal Justice Responses

Table 2 shows the frequencies of criminal justice responses across the 442 cases. The duration that victims experienced stalking before reporting to the police ranged from less than 1 month to 20 years, with a median duration of 6 months. Most cases, 92.1% ($n = 407$) involved an investigation being opened. Investigations ranged in duration from 1 month to 107 months, with a median duration of 9 months. The majority involved the arrest of the perpetrator (65.8%, $n = 268$) and the implementation of bail conditions (56%, $n = 228$). Of the 407 cases for which an investigation was opened, 14.7% ($n = 60$) then involved no further action. Approximately a third of cases resulted in a stalking charge (36.4%, $n = 148$); 30.2% ($n = 123$) resulted in a Restraining Order and 7.6% ($n = 40$) received a custodial sentence. Of perpetrators who received a custodial sentence, most also received a Restraining Order (77.5%, $n = 31$). Regarding the use of a Stalking Protection Order, this was only possible in cases dated after January 2020; thus, 115 cases were excluded from this analysis. Of the remaining cases, 11.9% ($n = 39$) resulted in a Stalking Protection Order.

Table 1. Demographic Information of Victims and Perpetrators.

Demographic	Victims *n* (%)	Perpetrators *n* (%)
Gender		
Male	30 (6.8%)	375 (84.8%)
Female	405 (91.6%)	57 (12.9%)
Non-binary	2 (0.5%)	1 (0.2%)
Unknown	5 (1.2%)	9 (2%)
Age		
Younger than 18	3 (0.5%)	0
18–25	61 (14%)	6 (1.4%)
26–35	79 (18%)	40 (9%)
36–45	77 (17.5%)	33 (7.5%)
46–55	64 (14.6%)	21 (4.8%)
56–65	28 (6.5%)	17 (3.8%)
66+	8 (1.8%)	3 (0.7%)
Unknown	10 (2.3%)	322 (72.9%)

Note. Total cases ($N = 442$).

Table 2. Frequencies of Criminal Justice System Responses.

Criminal justice system response	Total cases *n* (%[a])
Investigation status	
No investigation	35 (7.9%)
Investigation opened	407 (92.1%)
Investigation opened without further action	60 (13.6%)
Police response	
Verbal warning	57 (12.9%)
Caution	18 (4.1%)
Arrest	268 (60.6%)
Bail conditions	228 (51.6%)
On remand	56 (12.7%)
Released without bail	10 (2.3%)
Criminal justice system outcome	
Charged	148 (33.5%)
Probation order	9 (2%)
Stalking protection order	39 (8.8%)
Non-molestation order	75 (17%)
Restraining order	123 (27.8%)
Suspended sentence	32 (7.2%)
Custodial sentence	40 (9%)
CPS threshold not passed	23 (5.2%)
Found not guilty	3 (0.7%)

[a]Percentage of total cases ($N = 442$).

Regarding case outcomes, out of the 407 cases in which an investigation was opened, the stalking stopped in 46.4% ($n = 189$) of cases. In 18.7% ($n = 76$) of cases the stalking did not stop, and in 34.9% ($n = 124$) of cases it was unclear whether the stalking stopped or not, in part

Table 3. Chi-Square Results of Associations Between Legal Penalties and Case Outcomes.

	Stalking stopped		Stalking continued			
Legal penalty	*n* (%[a])	*z*	*n* (%[b])	*z*	χ^2	*p*
Verbal warning	26 (13.8%)	.1	10 (13.2%)	−.1	.017	.898
Caution	11 (5.8%)	.3	3 (3.9%)	−.5	.380	.538
Arrest	133 (70.4%)	.9	39 (51.3%)	−1.5	8.64	**.003**
Bail conditions	113 (59.8%)	.8	34 (44.7%)	−1.3	4.97	**.026**
Remand	33 (17.5%)	1.3	4 (5.3%)	−2	6.71	**.01**
Charge	90 (47.6%)	1.7	16 (21.1%)	−2.6	15.94	**<.001**
Probation order	5 (2.6%)	.6	0	−1.2	1.91	.167
Stalking protection order	29 (15.3%)	1.3	3 (3.9%)	−2	6.63	**.01**
Non-molestation order	24 (12.7%)	−1.4	15 (19.7%)	.6	.499	.480
Restraining order	78 (41.3%)	1.6	13 (17.1%)	−2.6	14.04	**<.001**
Suspended sentence	23 (12.2%)	1.2	2 (2.6%)	−1.9	5.77	**.01**
Custodial sentence	26 (13.8%)	1.5	1 (1.3%)	−2.4	9.17	**.002**

[a]Percentage of cases in which stalking stopped ($n = 189$). [b]Percentage of cases in which the stalking continued ($n = 76$).

as a result of victim disengagement with the Suzy Lamplugh Trust in 7.6% ($n = 31$) of cases. In most of the cases where the stalking stopped, an investigation had been opened (96.8%, $n = 183$) and often resulted in an arrest (70.4%, $n = 133$) and bail conditions (59.8%, $n = 113$). Just under half of the cases where the stalking stopped resulted in a stalking charge (47.6%, $n = 90$), and many perpetrators were placed under a Non-Molestation Order (12.7%, $n = 24$), a Stalking Protection Order (15.3%, $n = 29$) or a Restraining Order (41.3%, $n = 78$). The case outcome was unclear in all cases where an investigation was not opened ($n = 35$).

Of the 265 cases where the outcome (i.e., stalking stopped or stalking continued) was known, chi-square analysis revealed significant associations between several criminal justice responses and case outcomes. Chi-square results for the legal penalties are displayed in Table 3, indicating that most legal penalties were significantly associated with stalking cessation.

Barriers and Delays Within the Criminal Justice System

Almost half (45.9%, $n = 203$) of all cases faced at least one barrier or delay within the criminal justice system, summarised in Table 4. Cases for which an investigation was opened but with no further action (13.6%, $n = 60$) were significantly more likely to have faced a barrier or delay than cases with an investigation involving further action, $\chi^2(1, N = 442) = 12.02$, $p < .001$, Cramer's $V = .165$. Many of the cases involving an investigation with no further action (13.6%, $n = 60$) faced notable barriers and delays that resulted in no further action being taken, including that the investigating officer was not responsive (23.3%, $n = 14$); evidence was not collected in a timely manner (16.6%, $n = 10$); or that the victim disengaged from the investigation (15%, $n = 9$). Of all cases that faced at least one barrier or delay, the most common barrier to the progression of the case through the criminal justice system was that the victim disengaged from the police investigation in 15.3% ($n = 31$) of cases. The most common delay in the progression of the case through the criminal justice system was that the investigating officer was not responsive, in 27.6% ($n = 56$) of cases. The presence of a barrier or delay was not significantly predicted by victim demographic characteristics. Criminal justice responses were also not significantly predicted by the number of barriers and delays present.

Table 4. Frequencies of Barriers and Delays Within the Criminal Justice System.

	Total cases	Cases investigated with no further action
Barrier or delay	*n* (%[a])	*n* (%[b])
Barriers		
Victim disengaged from police investigation	31 (7%)	9 (15%)
Victim did not pursue prosecution	24 (5.4%)	5 (8.3%)
Perpetrator not located	23 (5.2%)	4 (6.7%)
Perpetrator sectioned during investigation	15 (3.4%)	2 (3.3%)
Perpetrator located in a different county	7 (1.6%)	3 (5%)
Perpetrator located outside United Kingdom	6 (1.4%)	1 (1.7%)
Perpetrator not identified	6 (1.4%)	4 (6.7%)
Delays		
Investigating officer not responsive	56 (12.7%)	14 (23.3%)
Evidence collection	54 (12.2%)	10 (16.7%)
Arrest	31 (7%)	3 (5%)
Statement collection	29 (6.6%)	4 (6.7%)
Assignment of investigating officer	17 (3.8%)	2 (3.3%)
CPS decision	14 (3.2%)	0
Sending case to CPS	11 (2.5%)	0
Court dates	8 (1.8%)	0

Note. Total cases ($N = 442$). Cases investigated with no further action ($n = 60$).
[a]Percentage of total cases. [b]Percentage of cases investigated with no further action.

Case Attrition Within the Criminal Justice System

Figure 1 demonstrates the attrition of cases through the stages of the criminal justice system. Out of the 407 cases for which an investigation was opened, 65.8% ($n = 268$) of these cases resulted in an arrest, thus producing an attrition rate of 34.2%. Of the 268 perpetrators arrested, 55.2% ($n = 148$) were charged with stalking, thus producing an attrition rate of 44.8%. Of the 148 perpetrators charged with stalking, 82.4% were subject to a legal penalty (one or more of the following: probation order, stalking protection order, non-molestation order, restraining order, suspended sentence, custodial sentence), producing an attrition rate of 17.6%. The overall attrition rate, from an investigation being opened to the implementation of a legal penalty, was 70.1%.

Discussion

This study examined criminal justice responses to, and case outcomes of, a sample of stalking cases involving advocacy support in England and Wales. The majority of cases in this study involved the arrest of the perpetrator. Most cases that involved an arrest included the subsequent implementation of bail conditions. While temporal details of criminal justice responses were not included, preventing statistical prediction of stalking cessation, the presence of an arrest and bail conditions were both significantly associated with stalking cessation. This suggests that arresting a perpetrator and subjecting them to bail conditions can provide protection of the victim from ongoing stalking behaviours. Restraining Orders were the most frequently used protective order, and the presence of a Restraining Order was significantly associated with stalking cessation, supporting existing findings that Restraining Orders are generally effective in protecting stalking victims and reducing reoffending (Logan et al., 2007). Victims of stalking and domestic abuse report that Restraining Orders improve their feelings of safety and security (Ammar et al., 2012;

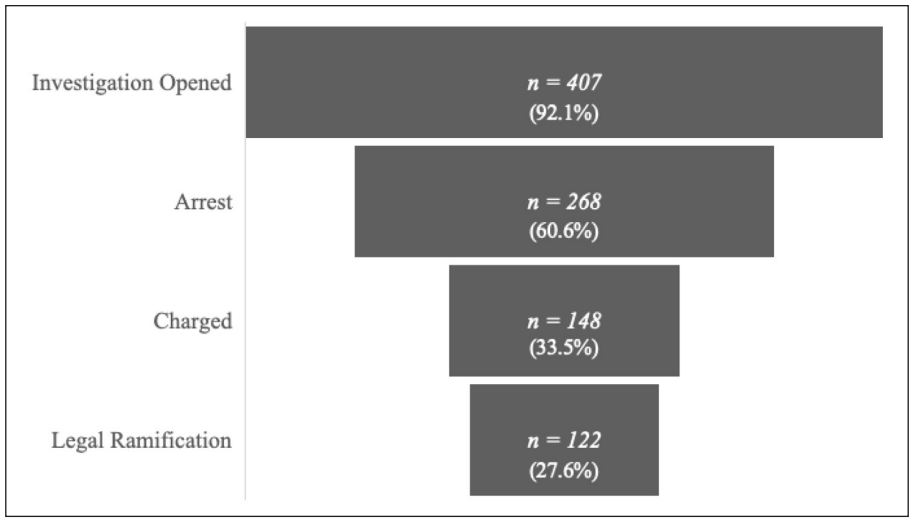

Figure 1. Funnel graph showing attrition of stalking cases within the criminal justice system.
Note. Percentages indicate the proportion of total cases ($N = 442$).

Logan et al., 2007; Logan & Walker, 2009). It has been noted that determining the effectiveness of Restraining Orders in research is difficult given their varied nature and confounding factors that may influence the success of a protective order, including effective reporting and enforcement of order violations (Cordier et al., 2021). Moreover, some research indicates that retaliation from a perpetrator is likely upon issuance of a Restraining Order (Russell, 2012), resulting in further psychological, physical, and sexual abuse towards the victim (Logan & Walker, 2009). As such, police must act quickly and efficiently if breaches of Restraining Orders are reported by stalking victims.

Stalking Protection Orders were issued in a minority of stalking cases in this study; it should be noted that Stalking Protection Orders were enacted in January 2020 (Stalking Protection Act, 2019) and 26% of cases ($n = 115$) in this study predated this. The presence of a Stalking Protection Order was significantly associated with stalking cessation, suggesting that these orders discourage stalking recidivism. This supports preliminary existing findings indicating that Stalking Protection Orders are more effective in protecting victims than the alternative (i.e., pre-charge bail conditions; Home Office, 2023). Despite indications of positive impacts, evidence suggests that Stalking Protection Orders remain underused; for instance, a report by the Suzy Lamplugh Trust and National Stalking Consortium (2022) identified that 50% of stalking victim advocates found police officers to be unaware of Stalking Protection Orders, and 68% of Stalking Protection Orders in their sample did not include available positive requirements such as a perpetrator mental health assessment. Alongside protective legal orders, other legal penalties identified in the sample included suspended sentences and custodial sentences. Only 7% of cases resulted in a suspended sentence and 9% of cases resulted in a custodial sentence; the presence of a suspended or custodial sentence was significantly associated with stalking cessation. In fact, only 4% of cases involving a suspended or custodial sentence involved continued stalking behaviour, suggesting that these legal penalties were pivotal in preventing further stalking.

A minority of cases in this study involved the use of initial verbal warnings or cautions by police. The presence of a verbal warning was not significantly associated with stalking cessation. Similarly, the presence of a caution in cases in this study was not significantly associated with stalking cessation. If stalking perpetration continues beyond the issuance of a caution, the victim must report these behaviours as a new stalking offence. In addition, any evidence of stalking

prior to the caution cannot be used in the new investigation (The Crown Prosecution Service, 2018). Securing a stalking charge under the Protection from Harassment Act 1997 and Protection of Freedoms Act 2012 requires evidence of a course of conduct of unwanted behaviour. The inability, therefore, to include prior stalking behaviour in a new investigation may substantially hinder the likelihood of securing a stalking charge. Moreover, applying for a stalking charge with limited evidence may impact whether a charge can be authorised under Section 2A or Section 4A of the Protection of Freedoms Act 2012 if evidence of serious alarm, distress or fear of violence was only collected before the caution was issued. This has significant implications for a perpetrator's possible legal ramifications, in that a perpetrator of stalking found guilty under Section 2A can only be sentenced to a maximum of 6 months in prison, whereas a perpetrator found guilty of stalking under Section 4A can be sentenced to a maximum of 10 years in prison.

Most cases in this study involved a police investigation and the pursuit of legal penalties, but over half of these cases faced barriers or delays in their progression through the criminal justice system. Cases of stalking in this study were hindered in their progression through the criminal justice system for many reasons, including unresponsive investigative officers, insufficient collection of evidence and victim statements, delays with arrests and issues locating the perpetrator. Stalking victims have previously reported concerns with insufficient police approaches to evidence collection and management of cases (Korkodeilou, 2014; Van der Aa & Groenen, 2010), and this study indicates that significant issues persist even for victims who receive specialist stalking advocacy support.

Barriers and delays to the progression of cases through the criminal justice system resulted in significant attrition. Of the 60.6% of cases that involved an arrest, only half of these involved a subsequent stalking charge, indicating a critical point at which many cases failed to progress. In England and Wales, the police must identify evidence of a course of conduct of stalking that has caused alarm, distress or fear in the victim to meet legal criteria. Upon presenting this evidence to the CPS, a decision is made by the Crown as to whether a suspect can be charged with stalking based upon the evidentiary threshold. The findings of this study suggest that many cases of stalking are either not being passed to the CPS to authorise a charge or are failing to meet the evidentiary threshold, despite involving support from a specialist stalking advocate who can help the victim to record and report incidents of stalking. This implies a disconnect between the requirements of the Crown and the ability of many stalking cases to fulfil these requirements. Improvements in communication and collaboration between the Crown and the police to identify where these shortfalls persist would be of benefit in improving the management of stalking within the criminal justice system.

The findings of this study suggest that significant issues prevail in the successful management of stalking within the criminal justice system, even when cases involve specialist stalking advocacy which has previously been shown to improve victims' experiences (Short et al., 2026). While a direct comparison with a group of cases not involving advocacy support is not provided in this study, when compared to national statistics, the findings do indicate positive impacts of advocacy support. For instance, a third of all cases in this study involved a stalking charge, significantly higher than the 7.9% of recorded stalking offences in England and Wales that resulted in a stalking charge in the year ending March 2024 (Home Office, 2025). In addition, only 12.4% of cases involved victim disengagement. Research has identified that victims of interpersonal violence may disengage from the legal process for various reasons, including self-blame, feelings of shame or fear of retaliation (McGuire et al., 2021). The findings indicate that, when compared to national averages, stalking victims who access an ongoing advocacy support service and remain engaged with the criminal justice system are less likely to experience ongoing stalking behaviours. These positive case outcomes highlight the importance of promoting access to justice for more victims and continuing to improve justice responses.

The findings of this study must be considered in line with its methodological limitations. First, the study relied on secondary data collected by stalking advocates, based on victim and police reports. While these reports did provide a detailed account of the victims' experiences, some methods of stalking can occur without the victim's knowledge. As a result, some methods may not have been reported by victims or identified by police. Second, the sample consisted only of victims who sought help, received ongoing advocacy support and had reported their experience of stalking to the police. Many cases of stalking go unreported by victims (Office for National Statistics, 2024), often due to a lack of perceived seriousness (Brady, 2023). As a result, research that relies on help-seeking samples, such as this study, does not represent the full spectrum of stalking cases, particularly cases of stalking that victims perceive as less severe, and excludes victims who do not seek formal support or receive ongoing advocacy. Help-seeking behaviours in victims are associated with personal and situational factors; victims of stalking who are female and White are more likely to seek support than male or ethnic minority victims (Reyns & Englebrecht, 2014). This is mirrored in the sample of this study, who were 91.6% female and 52% White British, with the remainder of victims spanning multiple ethnicities, including 7.7% Asian, 4.5% Black and 6.6% Mixed Race. In addition, victims who experience greater fear and psychological impact, and those who receive informal support from family and friends, are most likely to seek formal support from police and victim support services (McCart et al., 2010). Reducing barriers to help-seeking for stalking victims must be a priority, given the potential for advocacy support to improve engagement with the criminal justice system and promote positive case outcomes.

Third, analysis indicated significant associations between the presence of various legal penalties and stalking cessation, but temporal information of the legal penalties was not established. The findings of this study therefore cannot conclude whether the legal penalties resulted in stalking cessation or that stalking ceased before the legal penalties were enacted but do indicate that the presence of many legal penalties was associated with positive case outcomes. Overall, this study provides insight into the management of stalking cases involving advocacy support in England and Wales.

Implications for Practice and Future Research

This study identified the prevalence and nature of criminal justice responses to stalking cases involving advocacy support in England and Wales. Many of these justice responses, which are also used globally, including arrests, bail conditions, charges, protective orders and custodial sentences, were associated with stalking cessation, indicating a relationship between these legal penalties and positive case outcomes. The findings warrant further research to examine whether the presence of legal penalties in United Kingdom and internationally based cases statistically predicts stalking cessation.

Much of the existing literature similarly presents numerous shortcomings of the current U.K. criminal justice responses to stalking, including inefficient police processes (Korkodeilou, 2014; O'Shea et al., 2019; Suzy Lamplugh Trust & National Stalking Consortium, 2022; Taylor-Dunn et al., 2021). This study identified that these areas of failure within criminal justice responses to stalking in England and Wales persist, even for cases involving ongoing specialist stalking advocacy support. With a significant proportion of stalking cases failing to result in an arrest, a charge or a conviction, there must be a coordinated effort by policymakers, police and the courts to facilitate the progression of stalking through the criminal justice system and sufficiently protect victims. In addition, the issues identified in the management of stalking in England and Wales in this study reflect findings from across the globe which highlight low conviction rates, lack of knowledge by police as to what constitutes stalking, victim-blaming responses and consequent shortfalls in the protection of victims (Backes et al., 2020; Brady & Nobles, 2017). The findings

of this study warrant further examination of how similar barriers and delays may persist for help-seeking victims in international contexts.

Stalking is an ongoing offence, meaning that a victim must endure repeated unwanted behaviour while a police investigation is conducted. For this reason, delays or barriers in the progression of an investigation can have detrimental impacts on a victim's psychological health and practical safety, and on others around them. This highlights the need for continued improvements to the management of stalking to protect victims from psychological and physical harm and prevent stalking recidivism. Early referrals to well-being support services could also help to alleviate some of the psychological and emotional impacts on victims while the investigation is ongoing. This study demonstrates that victims who are able to engage with the criminal justice process generally experience better case outcomes than national averages, including higher rates of achieving a stalking charge and lower chance of disengagement. Ongoing training to equip police with the skills needed to identify stalking behaviours, conduct thorough and timely investigations, avoid victim-blaming responses and implement effective legal ramifications is necessary to protect victims and reduce the attrition of stalking cases through the criminal justice system.

Relatedly, the enactment of Stalking Protection Orders in 2019 aimed to improve the ability of the police to respond to stalking by putting measures in place to protect the victim without having to wait for the case to be heard in court. This study identified a low prevalence of Stalking Protection Orders in the sample and, while not all cases of stalking were eligible for a Stalking Protection Order, continued training and education around Stalking Protection Orders may promote an increase in their use. In addition, the inclusion of positive requirements is vital to create a holistic approach to reducing recidivism. Examination of the inclusion and effectiveness of positive requirements in Stalking Protection Orders would be beneficial in ongoing research.

Conclusion

This study examined criminal justice responses to cases of stalking involving advocacy support in England and Wales and identified barriers and delays resulting in case attrition throughout the criminal justice system. The use of protective orders and custodial sentences is vital to prevent ongoing stalking and protect victims. Despite involving advocate support, cases of stalking in this study demonstrated significant attrition through the criminal justice system and were often affected by inefficient police processes. Research should endeavour to continue examining the experiences of stalking victims, including non-help-seeking victims and victims who do not receive ongoing advocacy, in an effort to shed light on what works in reducing the alarm, distress and fear caused by stalking. For police and the courts, the findings highlight persistent areas of failure within which improvements must be made to prevent recidivism and reduce the risk of significant psychological, physical and practical impacts of stalking on victims.

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The data and materials will not be made available to any researcher in line with the data sharing agreement between the authors and the data source (Suzy Lamplugh Trust).

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