

## **Stalking during lockdown conditions**

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### **The problem**

Stalking has been a particularly difficult behaviour to define legally. In the UK context it is broadly understood as having two components:

- a course of conduct (two or more acts), that
- induces fear or a concern for safety (of the person being targeted or a family member).

Stalking is characterised by fixated and obsessional behaviour, which can present itself in many ways, and stems from a variety of psychological motivations. Despite UK stalking legislation gaining significant momentum in recent years, distinguishing stalking from harassment or nuisance remains difficult.

### **What we know about stalking in the UK and how we know it**

Stalking is widely considered a gender-based violent crime, with perpetrators predominantly men and victims predominantly women. Indeed, research indicates that an overwhelming majority (over 90%) of victims of intimate partner violence report stalking as one of the many kinds of violence perpetrated by partners. In the UK, stalking is defined by unwanted and repeated contact, which means that a relationship must have ended for the behaviour to be considered stalking. Between half to three-quarters of stalking in the UK relates to a victim and offender who have previously been in an intimate relationship. Stalkers can also be acquaintances of the victim, have a current or former professional relationship with the victim or, in a minority of cases, can be strangers. A large proportion of stalking incidents are not reported to police, despite the Crime Survey for England and Wales (CSEW) estimating that there are over one million victims each year.

Of those stalking offences that are reported to the police, only 12.7% result in a conviction at court. Research has found that legal sanctions in and of themselves often do not address the fixation and obsession of the perpetrator, and thus the criminal justice system cannot be relied upon solely to reduce stalking reoffending.

Stalking can cause prolonged and devastating harm to victims. This behaviour, which seen in isolation may not appear threatening, has a cumulative effect over time and interferes with many aspects of the victim's life. Fear of impending violence is one of the most debilitating effects of stalking on victims, and the fact that some 40% of stalking cases involve violence suggests that fears are warranted.

### **What we think might happen in the covid-19 pandemic**

From the offender's perspective, lockdown might mean having more time to spend on obsessive and fixated behaviour, with fewer distractions from it. Furthermore, behind closed doors and when their routine is destabilised, stalkers are more likely to feel disinhibited and this, combined with increased alcohol and drug consumption, will in some cases lead to an increase in contacts with the victim. Increased stressors associated with the pandemic may also cause an offender's mental health to deteriorate and lead them to resume stalking behaviour that had previously ceased (this is known as 'recurrence' in stalking research).

Social distancing is liable to lead to a shift towards online and digital contact with victims since the opportunity for physical contact has been restricted. Once the lockdown is lifted, a sharp rise in physical

and violent contact is expected, especially in the case of offenders with mental health issues. If they feel they have nothing to lose, their violence may increase including the possibility of imminent catastrophic attacks. Given that most offenders have complied better with bail and restraining orders during lockdown, once this is removed we can expect a surge in reports of stalking behaviours.

An immediate drop in calls by victims to report stalking to the police and other services has been observed in the first weeks of lockdown, because victims feel that they should not be taking resources from public services. An increase in reporting as the lockdown is extended is likely but is expected to increase significantly in the months to come. Additionally, victims will have been under acute pressure during the lockdown and may report more low-level stalking behaviours that they would not have previously reported. Alternatively, there might be an increase in reports of malicious communications, which conceal low-level stalking behaviour.

The impact on the victim could be two-fold - on the one hand they might feel removed from the situation and protected from physical contact because of the lockdown thus leaving them less fearful. On the other hand, victims are reporting that they feel like 'sitting ducks' and are highly anxious. If stalking behaviour has moved online and via telephones, then victims might be unable to avoid using devices under lockdown conditions as they are a link to social support structures, leading to increased stress and anxiety.

### **Some ideas in response**

Police need to think tactically about how they can use technology to prevent stalking during and after the COVID-19 pandemic has passed, so that the onus of protecting themselves is not wholly on the victims. Police can receive professional advice on responding to stalking cases via the Suzy Lamplugh Trust's stalking helpline.

Since most stalking behaviour is moving online and via digital media the investigative response by the police should involve the cybercrime unit. One option is to replace the victim's phone with a different device and seize the original device for forensic investigation for charging and prosecuting purposes.

Victims need to be given support and advice during the lockdown period since the underlying risk emanating from the fixated and obsessive behaviour remains during and following the pandemic. There is also a need for police and support agencies to provide bespoke advice to victims informing them about the options available to protect themselves digitally.

### **Relevant resources**

Office for National Statistics, 2017. *Crime in England and Wales: year ending June 2017*. Available here: <https://www.ons.gov.uk/releases/crimeinenglandandwalesyearendingjune2017>

Belur, J; Tompson, L; Jerath, K; (2019) MASIP evaluation final report. UCL Jill Dando Institute of Security and Crime Science: London, UK. Available here: <https://discovery.ucl.ac.uk/id/eprint/10097009/>

Research on stalking, commissioned by the Suzy Lamplugh Trust. Available here: <https://www.suzylamplugh.org/report-launch-out-of-sight-out-of-mind-two-years-on>

*About this series:*

*This is brief 9 of a series of short, speculative papers developed by the UCL Jill Dando Institute to support the police services during the current pandemic. The raison d'être of the series is fully described at: <https://www.ucl.ac.uk/jill-dando-institute/research/COVID-19-special-papers>*