



HM CPS

HM Crown Prosecution
Service

Stalking

**An inspection of how well the
CPS builds strong cases that
support and protect victims of
stalking**

October 2026

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HMCPsi Publication No. CP001:1347

Who we are

HM Crown Prosecution Service Inspectorate inspects prosecution services, providing evidence to make the prosecution process better and more accountable.

We have a statutory duty to inspect the work of the Crown Prosecution Service (CPS) and Serious Fraud Office (SFO). By special arrangement, we also share our expertise with other prosecution services in the UK and overseas.

We are independent of the organisations we inspect, and our methods of gathering evidence and reporting are open and transparent. We do not judge or enforce; we inform prosecution services' strategies and activities by presenting evidence of good practice and issues to address. Independent inspections like these help to maintain trust in the prosecution process.

Our vision

We are part of the solution to improving the criminal justice system through high-quality inspection.

We have four priorities to enable us to deliver this vision:

- we hold the CPS and SFO to account for what they deliver (we make recommendations that drive improvement)
- victims will be at the heart of inspection (where we can, we will use victim experience in our inspection)
- using our 25 years of experience we will help public prosecutors improve (their legal casework)
- inspection will identify and spread best practice.

Our values

We act with integrity, creating a culture of respect, drive innovation, pursue ambition, and commit to inclusivity in everything we do.

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1. Chief Inspector's foreword

Stalking is a serious and often devastating crime. It is characterised by persistent and unwanted behaviour that can dominate victims' lives, leaving them fearful and isolated, and changing how they live, work and interact with others. In the most serious cases, stalking can escalate into violence and even homicide. Victims deserve a criminal justice response that recognises the seriousness of the offending, provides effective protection and support, and holds perpetrators to account.

I am grateful to the National Stalking Consortium, who engaged with us throughout

This inspection examined how well the Crown Prosecution Service (CPS) builds and prosecutes stalking cases while supporting and protecting victims. It follows *The London stalking review*¹ and HMCPSP's subsequent examination of the CPS's charging decisions in cases considered as part of that review².

Together, those reports raised important questions about the criminal justice system's response to stalking and highlighted the need to assess whether improvements have translated into consistent practice nationally.

As we developed the scope and framework of this inspection, we wanted to make sure that we understood how this pernicious and devastating crime can affect the lives of those subject to stalking. I am grateful to the National Stalking Consortium, who engaged with us throughout the development of this inspection.

Our findings present a mixed picture.

We found many examples of dedicated prosecutors and managers who clearly understood the seriousness of stalking and were committed to achieving the right outcomes for victims.

Prosecutors generally selected appropriate charges, actively considered bail and victim safeguarding measures, made effective use of restraining orders, and consistently sought to support victims through the use of special measures. We also found positive examples of partnership working with police forces, support

¹ *The London stalking review*; Victims' Commissioner; July 2024.
[london.gov.uk/programmes-strategies/mayors-office-policing-and-crime-mopac/mopac-evidence-insight/mopac-research?ac-29300=208748](https://www.london.gov.uk/programmes-strategies/mayors-office-policing-and-crime-mopac/mopac-evidence-insight/mopac-research?ac-29300=208748)

² *An examination of cases referred to the Crown Prosecution Service included in the London stalking review 2024*; HMCPSP; December 2024.
hmcpsi.justiceinspectorates.gov.uk/report/an-examination-of-cases-referred-to-the-crown-prosecution-service-included-in-the-london-stalking-review-2024/

organisations and community groups to improve understanding of stalking and strengthen the response to victims.

However, despite this, performance was not consistently good enough.

Too often, prosecutors were not provided with important information that could help them understand the risks posed to victims and build the strongest possible cases. Risk assessments and Victim Personal Statements were frequently absent from police file submissions and the CPS missed opportunities to secure this critical material. We also found inconsistent consideration of Stalking Protection Orders, variable compliance with important victim communication requirements, and weaknesses in evidential analysis, action planning and case building.

Encouragingly, we did not find evidence that prosecutors routinely downgraded stalking allegations or sought to minimise the seriousness of offending behaviour

In most cases, these shortcomings do not arise because policies, guidance or expectations are absent. Indeed, in many areas, the CPS has clear guidance, established processes and committed leadership.

Rather, the challenge lies in making sure these expectations are applied consistently in day-to-day practice. Throughout this report we identify areas where established requirements were not followed and where greater organisational focus is needed to achieve consistent delivery.

The impact of these issues should not be underestimated. Stalking is a pattern-based offence that often develops over time. Understanding escalation, risk and the cumulative impact on victims is critical to effective decision-making. Where important information is missing, where victims' voices are not fully captured, or where opportunities to strengthen cases are missed, the full nature and seriousness of the offending may not be properly understood. This can affect both the strength of the prosecution and the support provided to victims.

Encouragingly, we did not find evidence that prosecutors routinely downgraded stalking allegations or sought to minimise the seriousness of offending behaviour by charging other, lesser offences. In most cases, prosecutors demonstrated a good understanding of stalking offences and recognised the importance of adopting a suspect-centred approach (one that focuses on the offender's behaviour and the risks it presents). This is a significant improvement on

concerns identified in our 2025 inspection assessing the quality of the CPS's early advice and pre-charge decisions in adult rape cases³.

The CPS has also demonstrated a clear commitment to improving its response to stalking, through its national action plan, and through the work of dedicated stalking leads and stakeholders across the organisation. The challenge now is to translate that commitment into consistently high-quality casework across all CPS Areas. We will conduct a follow-up inspection in 18 months to assess progress, to make sure the required improvement occurs.

Victims of stalking are entitled to expect a criminal justice response that understands their experiences, takes their concerns seriously and uses every available opportunity to build the strongest possible case. This report identifies important strengths on which the CPS can build, but it also highlights areas where urgent improvement is required if that ambition is to be fully realised.



Anthony Rogers

HM Chief Inspector

³ *A thematic rape inspection report*; HMCPsi; July 2025.

hmcpsi.justiceinspectorates.gov.uk/report/a-thematic-rape-inspection-report/

2. Summary

2.1. Stalking is a serious and often escalating pattern of offending that can have a profound and enduring impact on victims and how they live their lives. The seriousness of this offending and its impact on victims was highlighted during our early engagement with the National Stalking Consortium (NSC)⁴. Victims may alter their daily routines, change employment, move home or live with a continuing fear of further contact from the offender. In the most serious cases, stalking can escalate to violence or homicide.

2.2. According to the Office for National Statistics, one in seven people aged 16 and over in England and Wales has been a victim of stalking at least once, with women and younger people the most commonly affected⁵.

2.3. Given the significant impact of stalking behaviour on victims, it is of vital importance that cases are considered carefully and thoroughly so that stalking offences are identified, charged and prosecuted wherever the evidence supports it. Prosecutors should take all steps to build strong cases and pursue effective prosecutions to make sure that offenders are brought to justice and victims receive the protection and support they need.

2.4. Concerns about the effectiveness of the criminal justice response to stalking have been the subject of several reviews and inspections. These include the 2017 joint HM Inspectorate of Constabulary and HMCPsI inspection, *Living in fear*⁶, and the 2024 *London stalking review* commissioned by the Mayor's Office for Policing and Crime. In December 2024, we published a review of the cases identified through *The London stalking review* that had been referred to the Crown Prosecution Service (CPS). We assessed the quality of the CPS's decision-making, including charging decisions, with the aim of complementing the findings of *The London stalking review* around the Metropolitan Police's response to, and investigation of, stalking allegations, and providing a more complete picture of the service provided to stalking victims.

2.5. Taking our findings from inspecting those cases and the often life-changing impact of stalking on victims and the wider public, HMCPsI decided to

⁴ The NSC brings together specialist organisations with expertise in stalking, victim support and advocacy to promote awareness of stalking and improve the criminal justice response to victims.

⁵ *'I feel like I am living someone else's life': one in seven people a victim of stalking*; Office for National Statistics; September 2024.

ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/ifeellikeiamlivingsooneeelseslifeoneinsevenpeopleavictimofstalking/2024-09-26

⁶ *Living in fear — the police and CPS response to harassment and stalking*; CJI; July 2017.

hmicfrs.justiceinspectorates.gov.uk/publications/living-in-fear-the-police-and-cps-response-to-harassment-and-stalking/

carry out a wider thematic inspection looking at how the CPS handles stalking cases.

2.6. This inspection assessed the quality of the CPS's legal decision-making and case management in stalking cases. It builds on findings from previous inspections and reviews, providing an assessment of current practice and identifying areas for improvement.

2.7. We examined 350 cases across 14 geographical CPS Areas using a structured assessment framework. The file sample included stalking cases, harassment cases, breaches of protective orders, and cases where no further action had been taken, enabling us to assess charging decisions across a range of case types.

2.8. To assess practice against the CPS's revised stalking or harassment guidance, introduced in January 2025, we selected cases charged after that date. We aimed to review recently finalised cases so that we could assess decision-making and case progression throughout the life of the case. However, court backlogs meant that some recent cases remained live. We therefore included these to make sure we had a sufficiently large sample of current casework.

2.9. We supplemented our file examination with a review of relevant CPS documentation, performance data and guidance, and interviews and focus groups conducted at national level and Area level.

Headlines

2.10. We found a mixed picture of the CPS's performance in stalking cases. Although prosecutors demonstrated strong performance in several aspects of casework, we identified a number of areas where performance was inconsistent and did not meet expected standards. Where we found good performance, the CPS will still want to continue seeking improvement in the consistent application of its standards and expectations, to provide the best service to victims of stalking.

2.11. We found that prosecutors almost always recognised the actual or potential impact of stalking on victims and the risks posed by persistent and obsessive behaviour and were proactive in those aspects of charging and case management focused on protection and support of the victim. This can be seen through reviews identifying the issues and the impact on victims based on the information supplied in the police file.

2.12. Nevertheless, opportunities to obtain and consider risk assessments — which can contain valuable information to build and strengthen cases — were not always identified. This needs to be addressed.

Prosecutors proactively considered the use of bail at the pre-charge stage

2.13. The CPS selected the most appropriate charge in the majority of the charged cases we examined. Of the 308 cases we examined where charge was authorised, inspectors agreed with the charge selected in 236 cases (76.6%). Although this still leaves just under one in four cases where we found that a different offence should have been charged, it tended to be as a result of a differing view of the level of charge, rather than stalking not being charged where the evidence supported it.

2.14. During our early engagement with the NSC, members highlighted the importance of making sure stalking offences were charged where supported by the evidence, to make sure the offending behaviour was properly recognised and marked, and that victims received proper support.

2.15. In our file examination, we also saw examples of prosecutors authorising more serious charges involving stalking than those proposed by the police, where there was evidence to support it.

2.16. Prosecutors proactively considered the use of bail at the pre-charge stage. In 262 of 308 applicable cases (85.1%), prosecutors actively considered the suspect's bail status and the approach to be taken after charge to provide protection for victims and the wider public. This demonstrates a good focus on immediate risk management. While this is a relatively high rate of compliance, the CPS will want to continue focusing on this aspect so that all victims of stalking are afforded appropriate protection through bail and remand provisions.

2.17. We found that prosecutors actively considered the need for special measures throughout the life of a case. At the pre-charge stage, prosecutors considered special measures in 225 of 292 applicable cases (77.1%).

2.18. Performance after charge, at the point applications were actually made at court, was higher, with appropriate consideration in 85 out of 99 applicable Crown Court cases (85.9%) and 97 out of 106 applicable magistrates' court cases (91.5%).

2.19. This is a positive finding because early and effective special measures can help victims to feel supported, reducing the stress of attending court to give evidence and help them to give their best evidence.

2.20. We assessed that, at the charging stage, appropriate guidance and instructions were provided in 239 of 308 applicable cases (77.6%). Full and clear guidance and instructions are important in every case because court advocates, particularly in busy courts, rely on clear pre-charge instructions to identify acceptable pleas, bail applications and issues, special measures, restraining orders, witness requirements and other issues necessary to progress cases effectively at first hearing.

2.21. We found positive examples of partnership working focused specifically on stalking prosecutions. Some CPS Areas used Joint Operational Improvement Meetings (JOIMs), scrutiny panels and stalking-specific forums to engage with police partners and third sector organisations. Wessex, for example, held quarterly stalking-specific JOIMs and stalking panels.

2.22. During our early consultation with the NSC, concerns were raised about the effectiveness of the CPS's communication with victims. While our findings identify areas that need improving — for example, consistent and timely communication when cases are dropped or charges substantially altered — we found evidence that the CPS is taking positive steps to strengthen communication and engagement with victims and victim support services.

2.23. Inclusion and community engagement managers (ICEMs) were highly engaged and helped to bring victim perspectives into local scrutiny arrangements. In one CPS Area, the ICEM led bi-monthly meetings with independent domestic violence advisers (IDVAs), attended external community forums, and escalated partner feedback and concerns to senior CPS managers. In another Area, the ICEM actively encouraged prosecutors to attend scrutiny panels and hear victims' lived experiences first-hand to improve their understanding of the impact of stalking.

We found positive examples of partnership working focused specifically on stalking prosecutions

2.24. We found that ICEMs worked proactively with IDVAs, independent sexual violence advisers, third sector organisations and the police to improve communication with victims, strengthen engagement throughout the life of a case, and identify where services could be improved using feedback from victims and community partners. We also saw examples of

effective liaison with courts to facilitate practical support for victims, such as giving evidence via live link.

2.25. Despite these aspects of positive performance, which indicate the CPS's commitment to improving its handling of stalking cases, we also identified a

number of areas where performance was not consistent and improvement is required.

2.26. The CPS's triage process is not functioning as effectively as it should. This was highlighted by the lack of challenge to police file submissions which did not include a risk assessment.

2.27. The lack of a full risk assessment can prevent prosecutors from properly understanding escalation in offending behaviour, victims' vulnerability and the need for immediate protective measures. The National File Standard, and the protocol between the National Police Chiefs' Council and the CPS on the handling of stalking offences⁷, both require the police to provide a risk assessment when seeking a charging decision in stalking or harassment cases. This requirement applies to investigations and prosecutions commenced on or after 23 May 2018.

2.28. Accordingly, risk assessments should have been provided in 348 cases we assessed — but were present in only 242 (69.5%). The CPS should have requested the missing document in 101 of the 106 cases where no assessment was provided but did so in only 19: fewer than one in five of those cases. This represents a missed opportunity for the prosecutor to obtain more information that could strengthen the case and provide valuable detail about support and the impact on the victim.

2.29. In four of the five remaining cases, there was no need for the prosecutor to seek a risk assessment, because they had decided there should be no further action. In the one remaining case, the victim declined to complete a risk assessment.

2.30. By contrast, in the domestic abuse cases in our file sample, where providing a full risk assessment has been mandatory since September 2024, 234 of 292 cases (80.1%) contained a risk assessment. This provides some assurance that this aspect can be addressed relatively quickly.

2.31. A Victim Personal Statement (VPS) enables victims to explain the impact of the offending in their own words. It can assist prosecutors when making charging decisions, support applications for bail and protective orders, and help the court understand the effect of offending when passing sentence.

2.32. Under the National File Standard, the police should provide a VPS or explain its absence when submitting a case file to the CPS for a charging

⁷ *Joint protocol on the appropriate handling of stalking and harassment offences*; CPS and National Police Chiefs' Council; May 2018.
cps.gov.uk/national-protocols-and-agreements-other-agencies#a05v

decision. Where neither is provided, the CPS should request the missing information. We found inconsistent performance in the provision of VPSs by the police, in the CPS's efforts to obtain them when absent, and in their use at sentence in accordance with the victim's wishes.

2.33. In seven of the 350 cases we examined, victims did not support a prosecution from the outset and chose not to provide a VPS. There should have been a VPS in the remaining 343 cases. The police included either a VPS or an explanation for its absence in only 170 cases (49.6%). In the remaining 173 cases, no VPS was provided and there was no explanation for its absence; the CPS requested one in 117 of these cases. In another ten cases, no request was made, because the CPS had decided to take no further action. That left 45 cases, so just over one in four cases, where the prosecutor did not request a VPS where they should have.

2.34. Some of those cases resulted in convictions and proceeded to sentence without either a VPS or a confirmation that the victim did not wish to provide one. In others, a VPS was available but was not used in accordance with the victim's wishes.

2.35. In our file sample there were 308 charged cases. At the time we examined the cases some remained live, others had concluded and been finalised⁸. Of those 308 cases, at the time of inspection 212 cases had concluded by way of a conviction or guilty plea but only 144 had reached the point of sentence. We examined those 144 cases to assess whether there was a VPS present and whether the views of the victim were carried out at the sentence hearing.

2.36. In 31 of those 144 cases (21.5%) there was no VPS before the court at all at sentence. In 19 of those cases the CPS had identified that it was missing and had sought it from the police, but it had not been provided at the date of the sentence hearing. In the other 12 cases the CPS had not identified it was missing and had not asked the police to obtain it.

2.37. There was a VPS on the case file in the other 113 of the 144 cases. In 65 cases the CPS had a VPS on the file, and we could see from the endorsement on the hearing record sheet that it had been brought to the attention of the sentencing court in accordance with the victim's wishes. This represents 45.1% of the 144 cases we examined that were sentenced where the CPS fully met its duties. In 13 cases there was a VPS but the views of the victim about the reading of the VPS at the sentence hearing had not been obtained. In one case the victim had provided a VPS and asked to read it themselves, but we could not

⁸ The 308 can be broken down as follows: 212 guilty plea/conviction after trial, 38 dropped or acquittal after trial, 58 still live and awaiting trial or plea.

ascertain from the case file whether this had happened. In another 34 cases, there was a VPS or relevant information but the endorsement of the outcome of the hearing contained no information about the VPS and so we were unable to confirm whether it had been adduced at the hearing at all.

SPOs are a valuable tool to help protect victims of stalking from further harm while a case is being investigated and prosecuted

2.38. Given the often-profound impact of stalking on victims, it is vital that the court is able to consider that impact when sentencing the offender. The right to make a VPS is a statutory one set out in the Code of Practice for Victims of Crime (the Victims' Code)⁹, and both the police and the CPS are responsible for delivering that right. Improving compliance in this area is therefore essential to assure victims'

rights and make sure the court is fully informed of the consequences of the offending.

2.39. The NSC raised concerns about the effective use of Stalking Protection Orders (SPOs) during our early engagement. SPOs are police-led orders that can be used to restrict a suspect's behaviour, even where there has not been a criminal conviction. They are an important safeguarding tool because they can provide protection at an early stage, manage ongoing risk and help prevent further stalking behaviour.

2.40. Our findings are consistent with the NSC's concerns. We found a widespread lack of understanding around SPOs and their value in protecting victims.

2.41. Although they are civil orders and separate from the prosecution process, the CPS's guidance states that prosecutors should consider advising the police about SPOs at the pre-charge stage in all appropriate cases, given the protection they can afford. We found that they were only considered in three of the 200 applicable cases.

2.42. We spoke to prosecutors and managers about this in interviews and found that most viewed SPOs primarily as a police responsibility, indicating a disconnect between national expectations and operational practice. This requires urgent improvement; SPOs are a valuable tool to help protect victims of stalking from further harm while a case is being investigated and prosecuted.

⁹ *The code of practice for victims of crime in England and Wales*; Ministry of Justice; January 2025.
gov.uk/government/publications/the-code-of-practice-for-victims-of-crime

2.43. Under the Victims' Code, victims receive either an enhanced service or a standard service. The enhanced service is intended for victims who may need extra support, including those who have been persistently targeted, are vulnerable or intimidated, or have been affected by the most serious offences. Victims of stalking are entitled to an enhanced service because they have been subjected to repeated and ongoing behaviour.

2.44. The level of service specifies the relevant timescale within which a letter must be sent under the Victim Communication and Liaison (VCL) scheme. Victims receiving an enhanced service should receive a letter within one working day, while victims receiving a standard service should receive one within five working days.

2.45. The CPS uses VCL scheme letters to tell victims about important decisions in their case. This includes decisions not to continue with a prosecution, to stop some or all charges, to change the charge significantly, to accept an out-of-court disposal, or to leave a charge on file. The letter explains what decision has been made and why. Where relevant, it also tells victims about their right to ask for the decision to be reviewed under the Victims' Right to Review scheme. As we examined the quality of VCL scheme letters in detail in our recent inspection¹⁰, this inspection focused on whether letters were sent when required and within the timescales specified by the Victims' Code.

2.46. Members of the NSC raised concerns about the effectiveness of the CPS's communication with victims. The findings from our file examination identified issues that were consistent with those concerns.

2.47. We found that prosecutors correctly identified the level of service victims were entitled to in 309 of 350 applicable cases (88.3%), but in 39 cases, victims who were entitled to an enhanced service were incorrectly identified as being entitled only to a standard service.

2.48. Of 111 cases where a VCL scheme letter should have been sent, 80 letters were sent. Of those sent, 30 (37.5%) were sent outside the required timescale. Late VCL scheme letters can leave victims uninformed about significant case decisions, reduce confidence in the criminal justice process, and undermine compliance with the standards set out in the Victims' Code. Delays in sending a VCL scheme letter can particularly affect victims of stalking: it may affect their ability to make informed decisions about their safety, seek support, or

¹⁰ *Quality of Victim Communication and Liaison scheme letters*; HMCPsi; July 2026. hmcp.si.justiceinspectorates.gov.uk/report/quality-of-victim-communication-and-liaison-scheme-letters/

exercise their rights to a review of the decision under the Victims' Right to Review scheme.

2.49. Out of 19 cases where the victim should have been informed of their right to have the decision to end the case reviewed, the CPS did so in only 14 cases (73.7%). This is below the level of performance expected and weaker than we found in our recent inspection on the quality of VCL scheme letters, where 89% of letters correctly offered the victim a review. In stalking cases, where victims may already feel unsafe or unheard, failures in communication can undermine confidence in the prosecution process.

2.50. The prosecutor's role at the pre-charge stage is to review and analyse the material provided by the police, applying the law, policy and guidance; assessing the strengths and weaknesses of the case; identifying where reasonable lines of enquiry exist that would either support or point away from a prosecution; and considering how any weaknesses in the case may be overcome. This includes:

- considering whether a case can be prosecuted without the victim's evidence (an evidence-led prosecution), either because the victim has withdrawn support or to spare the victim the trauma of giving evidence
- adopting a suspect-centric approach, looking at the offender's behaviour before and after the offence as well as during it.

2.51. This analysis should lead to a decision to charge or not. Where the decision is to charge, the prosecutor should set a strategy for how the case should be prosecuted at trial.

2.52. In our case file sample, we found that the quality of evidential analysis at the pre-charge stage was variable.

- CPS charging advices considered the legal elements of the offence in only 203 of the 350 cases we examined (58%).
- Prosecutors addressed the defendant's account in interview, and outlined a strategy to rebut it, in 181 of the 345 cases where a defence was raised (52.5%).
- Evidence-led prosecutions were considered and recorded with a proportionate rationale in less than half of applicable cases (49.8%).

2.53. These findings show that prosecutors did not always identify evidential gaps, potential defences or opportunities to build stronger cases at the earliest stage.

The impact of the issues identified is not simply procedural

2.54. Action plans were not consistently focused or proportionate. At the pre-charge stage, 200 of 305 applicable cases (65.6%) contained action plans that appropriately targeted reasonable lines of enquiry. Post-

charge performance was stronger in the Crown Court cases we examined, with 86 of 112 action plans (76.8%) assessed as good. In the magistrates' court cases, we assessed 77 of 131 action plans as good (58.8%). Inspectors found that some action plans were vague or generic, particularly in relation to bad character evidence and digital enquiries, increasing the risk of missed evidential opportunities, delay, and weaker case preparation.

2.55. Ancillary applications, such as for bad character and hearsay, were not used consistently to strengthen cases. They were adequately considered in 143 of 259 applicable cases (55.2%) at the pre-charge stage. Performance deteriorated after charge, particularly in magistrates' court cases, where only 25 of 76 applications (32.9%) were progressed effectively. In 36 cases, prosecutors failed to pursue applications previously identified as necessary. Crown Court performance was stronger: effective progression was evident in 33 of 58 applicable cases (56.9%).

2.56. The impact of the issues identified is not simply procedural. Weak file triage, missing risk assessments, absent Victim Personal Statements, unclear action plans, missed ancillary applications and delayed reviews can affect both the strength of the prosecution case and the support provided to victims. They may also mean that the full nature, seriousness and pattern of offending is not properly identified, evidenced or addressed through the prosecution process.

2.57. We found that, generally, CPS prosecutors were aware of stalking guidance and considered it to be as clear and helpful. However, our file examination showed that key aspects were not consistently applied, suggesting that the issue lies less with the availability of guidance and more with its embedding in practice. Dedicated stalking training was limited, outdated and not mandatory. While prosecutors reported receiving domestic abuse training, few had received training focused specifically on stalking, despite the need to recognise patterns of behaviour, escalating risk, cumulative harm, opportunities for evidence-led prosecutions and the use of protective measures.

2.58. We found that CPS Area stalking leads were committed and enthusiastic, but their role lacked clear definition and accountability. The national stalking lead actively promoted good practice but has no remit to hold Areas to account for performance, creating a risk that improvement relies on individual commitment rather than embedded organisational arrangements.

2.59. The CPS recognises the seriousness of stalking, and inspectors spoke to legal managers and prosecutors who were dedicated to providing a good service and achieving the best outcomes for victims. However, performance remains inconsistent and more improvement is required.

2.60. Many of the aspects for improvement we identified are ones where there is a clear strategic steer, expectation, standard, policy or guidance that is fit for purpose but inconsistently applied. In these circumstances, we identify compliance issues for improvement. We make recommendations where a change in approach is required and to that end we make a single recommendation aimed at improving the use of Victim Personal Statements.

Recommendations, compliance issues and strengths

Recommendation

By April 2027, the Crown Prosecution Service should improve its engagement with the police post-charge to ensure that, in every relevant case, a Victim Personal Statement is obtained or the victim's decision not to provide one is confirmed and recorded. In full code test cases, this information should be available on the case file by the first hearing. [paragraph 5.33]

Compliance issues

The Crown Prosecution Service should ensure that full risk assessments are obtained and considered in all stalking or harassment cases, in line with the requirements of the Director's Guidance on Charging and the stalking or harassment protocol. [paragraph 5.16]

The Crown Prosecution Service should ensure that prosecutors routinely advise the police on obtaining a Stalking Protection Order when advising on any case involving allegations of stalking, to comply with the standard set out in existing guidance to ensure all methods of protecting victims of stalking are properly considered in all cases. [paragraph 5.38]

The Crown Prosecution Service should ensure that:

- victims entitled to Victim Communication and Liaison scheme communications are correctly identified as being entitled to an enhanced service
- Victim Communication and Liaison scheme letters are consistently issued in all applicable cases
- letters are sent within the timescales required by the Code of Practice for Victims of Crime
- all victims that have the right to a review are informed of that right. [paragraph 5.72]

The Crown Prosecution Service should ensure that prosecutors set out reasonable lines of enquiry in proportionate and prioritised action plans with clear timescales in accordance with its standards and expectations. [paragraph 7.62]

Strengths

At charge, prosecutors appropriately considered the suspect's bail status and post-charge bail arrangements in 85.1% of cases, demonstrating a clear focus on victim and public protection. [paragraph 5.40]

At both the pre-charge and post-charge stages, the Crown Prosecution Service is actively considering special measures to ensure victims and witnesses are properly supported if they are required to give evidence at court. [paragraphs 5.42 – 5.46]

In 94.3% of cases, prosecutors made an appropriate application for a protective order on conviction or acquittal, demonstrating the importance the Crown Prosecution Service attaches to protecting victims. [paragraph 5.50]

In 88.3% of cases, the Crown Prosecution Service correctly identified the standard of service the victim was entitled to receive. [paragraph 5.64]

3. Context and background

3.1. One in seven adults in England and Wales has experienced stalking, with women and younger people most affected. Stalking can have a profound and lasting impact on victims, causing significant distress and fear, necessitating major changes to victims' daily lives and, in some cases, leading to escalating violence. The government has made tackling stalking a key part of its response to violence against women and girls, introducing measures to strengthen victim protection and improve perpetrator management.

3.2. Given the serious harm caused by stalking, police and prosecutors must make sure that stalking offences are identified, charged and prosecuted wherever the evidence supports it.

Legislation

3.3. Under the Protection from Harassment Act 1997 (PHA), it is an offence for a person to pursue a course of conduct that amounts to the harassment of another individual, and that they know (or ought to know) amounts to harassment¹¹. Harassment is defined as alarming a person or causing them distress. A course of conduct must involve conduct on at least two occasions.

3.4. The PHA was introduced to deal with offences of harassment. Although it was used to prosecute stalking behaviour, the legislation did not at that time distinguish stalking from harassment as a separate offence. Two offences were introduced:

- a summary only offence under section 2, which deals with conduct amounting to the harassment of another
- an offence triable either way under section 4, where the victim fears that violence would be used against them¹².

¹¹ *Protection from Harassment Act 1997*; UK Parliament; March 1997.
legislation.gov.uk/ukpga/1997/40

¹² Summary only offences can only be dealt with in the magistrates' courts. Either-way offences can be dealt with in either a magistrates' court or the Crown Court, depending on the seriousness of the allegations and whether the defendant wants to be tried in front of three magistrates or before a jury.

3.5. Following concern that the PHA did not recognise separate offences of stalking and the specifically sinister nature of this type of offending, an independent parliamentary inquiry, published in February 2012, found that victims had a deep-rooted lack of trust in the criminal justice system. The inquiry concluded there was a clear need to reform the legislation to make sure victims of stalking were properly supported and perpetrators received appropriate sanctions¹³.

3.6. As a result, the Protection of Freedoms Act 2012¹⁴ amended the PHA and created two new offences of stalking:

- stalking (section 2A) – pursuing a course of conduct which amounts to harassment and which also amounts to stalking
- stalking (section 4A) – pursuing a course of conduct which amounts to stalking and either:
 - causes another to fear on at least two occasions that violence will be used against them, or
 - causes another serious alarm or distress which has a substantial adverse effect on their usual day to day activities.

3.7. Perpetrators will be found guilty if they know, or ought to know, that their course of conduct on each occasion will cause another fear or serious alarm or distress. A perpetrator is taken to know the likely impact of their conduct if a reasonable person with the same information would expect it to cause fear of violence or serious alarm or distress.

¹³ *Independent parliamentary inquiry into stalking law reform*; Justice Unions' Parliamentary Group; February 2012.

¹⁴ *Protection of Freedoms Act 2012*; UK Parliament; May 2012.
legislation.gov.uk/ukpga/2012/9

3.8. These stalking offences came into force on 25 November 2012. Section 111 of the 2012 Act provides the following examples of the type of behaviour associated with stalking:

- following a person
- contacting or attempting to contact a person by any means
- publishing a statement or other material
 - (i) relating or purporting to relate to a person, or
 - (ii) purporting to originate from a person
- monitoring the use by a person of the internet, email or any other form of electronic communication
- loitering in any place (whether public or private)
- interfering with any property in the possession of a person
- watching or spying on a person.

3.9. In addition, the acronym 'FOUR' (Fixated, Obsessive, Unwanted and Repeated) is often used by police forces and support groups to help investigators, prosecutors and the wider public understand what stalking behaviour looks like.

Previous inspections

3.10. In 2017, Her Majesty's Inspectorate of Constabulary (HMIC)¹⁵ and HMCPSP published a joint inspection, *Living in fear — the police and CPS response to harassment and stalking*. The inspection found that stalking offences often went unrecognised and that police and prosecutors missed opportunities to charge stalking offences. The inspection also found that police and prosecutors treated incidents as single events, rather than identifying patterns of behaviour and making charging decisions that were proportionate and properly captured the alleged offending.

3.11. In the 2017 inspection, HMIC and HMCPSP jointly assessed 112 cases of harassment or stalking from six police forces and CPS Areas. Inspectors concluded that overall, none of the cases had been dealt with well.

¹⁵ Now His Majesty's Inspectorate of Constabulary, Fire and Rescue Services (HMICFRS).

3.12. The report made 22 recommendations to the Home Office, the National Police Chiefs' Council (NPCC), Chief Constables, the College of Policing and the Crown Prosecution Service (CPS) to improve the investigation and prosecution of stalking or harassment offences. Nine of those recommendations were made either solely to the CPS or jointly with other organisations:

- the National Police Chiefs' Council lead and the CPS policy lead for harassment and stalking should review the national stalking protocol and re-issue it to forces and CPS Areas
- the National Police Chiefs' Council and CPS stalking leads should review the stalking single point of contact system and ensure that this is:
 - fully effective
 - operating consistently for victims in all areas
- Chief Constables and CPS Area leads should monitor and ensure compliance with the national stalking protocol
- the College of Policing and the CPS should work together and respectively revise the summary of evidence form to ensure a consistent and appropriate response to such applications, and provide clear guidance on the application for restraining orders
- the CPS should reinforce and reiterate guidance to prosecutors on accepting pleas to harassment instead of pursuing stalking charges
- 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
- 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
- the CPS should ensure that all prosecutors have received training about harassment and stalking.

3.13. Since the publication of the 2017 joint inspection report, the CPS has implemented a range of measures intended to improve its response to stalking. These include updated legal guidance, enhanced scrutiny arrangements and stronger partnership working with police. The current CPS guidance encourages prosecutors to adopt a suspect-centric approach, focus on the wider pattern of

behaviour and cumulative impact on victims, and make sure stalking is identified and charged appropriately.

3.14. Recent national initiatives have continued this focus, with the CPS and NPCC committing through the *Domestic abuse joint justice plan*¹⁶ to improve the identification of stalking, strengthen joint working and refresh the national stalking protocol to support better risk management and victim protection.

3.15. Together, these changes demonstrate a continuing effort across the criminal justice system to improve outcomes for victims of stalking and to recognise stalking as a serious pattern-based offence requiring a coordinated multi-agency response.

3.16. In 2022, the London Victims' Commissioner called for the Mayor's Office for Policing and Crime (MOPAC) to carry out research into the Metropolitan Police Service's response to stalking victims in London. To address this request, MOPAC's evidence and insight team reviewed a sample of cases involving stalking offences. This review was published in 2024, and the London Victims' Commissioner issued a response¹⁷.

3.17. As a result of discussion with the London Victims' Commissioner about the limitation of the MOPAC work to consider CPS action in the cases examined, we agreed that there would be some value in HMCPSI undertaking a short inspection to assess the wider criminal justice system's response in the cases MOPAC had looked at.

3.18. In December 2024, HMCPSI published *An examination of cases referred to the Crown Prosecution Service included in the London stalking review 2024*. This report set out our findings in the cases that were considered as part of *The London stalking review*. The inspection examined the quality of the decisions on charge in cases that were submitted by the police to the CPS for a charging decision.

3.19. The report provided a small snapshot of how charging decisions on stalking cases were handled by the CPS, while recognising that it was not necessarily a reflection of the national picture, as the cases reviewed were referred by a single force, the Metropolitan Police, and were therefore all dealt with by one of two CPS Areas: London North or London South.

¹⁶ *Domestic abuse joint justice plan*: National Police Chiefs' Council and Crown Prosecution Service; CPS; November 2024.

cps.gov.uk/publication/domestic-abuse-joint-justice-plan-national-police-chiefs-council-and-crown-prosecution

¹⁷ *London Victims' Commissioner on stalking reform*; Victims' Commissioner; November 2024.

london.gov.uk/who-we-are/city-hall-blog/londons-victims-commissioner-stalking-reform

3.20. In that examination, we found that prosecutors generally applied the Code for Crown Prosecutors correctly and selected appropriate charges in most cases. However, the review also identified weaknesses in police file quality and highlighted the challenges associated with recognising and charging stalking behaviour consistently. The findings reinforced the importance of identifying stalking early, police and prosecutors working together effectively, and taking a victim-focused approach to case management and protective orders. These issues informed several lines of enquiry within this thematic inspection.

3.21. Given the importance, priority and impact of stalking offences on victims and the wider public, and on the back of our findings in the London case review, it was decided to inspect the CPS's handling of stalking cases. This inspection would draw on findings from the 2024 report to carry out a thematic assessment of the quality of the CPS's legal decision-making and case management in cases involving stalking offences. We also decided to assess progress against previous recommendations made for the CPS and whether changes made by the CPS have resulted in improvement from what we found in 2017.

3.22. In March 2026, the CPS published its *Stalking action plan 2026–2030*, setting out a structured programme of work to improve its response to stalking offences. One of the plan's objectives is to develop and articulate clear case strategies that are "suspect-centric, victim-focused and trauma-informed". This includes reviewing and updating stalking guidance to embed learning about the suspect-centric approach, following on from the super-complaint into stalking and the London Victim's Commissioner's review of stalking, to make sure prosecutors apply high legal standards.

3.23. This is a positive development, and we hope that the findings from this inspection help the CPS to set clear milestones within the four-year plan to support delivery and drive improvement.

Victims' voice

3.24. The impact on victims of any crime can be significant. Stalking crimes are particularly damaging and pervade all sections of society. The impact on victims' day to day lives can be devastating and, in some cases, can give rise to an escalation of behaviour that can result in violence or homicide. Stalking can also have a huge impact on victims' mental health and their relationships with others.

3.25. One of our priorities is to put victims at the heart of inspection. We have recently revised our approach to make sure we engage in a much more effective and systematic way with groups representing victims of crime as we develop and undertake inspection activity.

3.26. With this in mind, at the outset of this inspection, we engaged with the National Stalking Consortium to obtain its views on the proposed scope and direction of the inspection. This helped ensure that, as far as possible, the inspection reflected the issues and concerns raised by victims of stalking. While the Consortium's principal concerns related to police performance, it also identified several matters relevant to the CPS.

3.27. The Consortium identified the quality and timeliness of police investigations as the most significant factor affecting outcomes in stalking cases and recognised that the CPS is heavily reliant on the quality of police case preparation. It appreciated that this inspection focuses solely on the role of the CPS and emphasised the importance of prosecutors correctly identifying and charging stalking offences, where the evidence supports such offences. The Consortium considered that a failure to do so risks both failing to protect current and future victims and failing to recognise and validate victims' lived experiences.

3.28. The Consortium also highlighted the importance of the CPS receiving high-quality Victim Personal Statements (VPSs) in stalking cases. It expressed concern that VPSs do not always fully capture the impact of stalking on victims, which may affect prosecutors' understanding of the harm caused and, in turn, the quality of charging decisions. It suggested that prosecutors should be proactive in identifying evidence of impact within VPSs and, where necessary, advising the police to obtain further information from victims, so that the full effects of the offending are properly understood and reflected in case decisions. This would include requesting a VPS where one has not been provided.

3.29. The Consortium also raised concerns about communication between the CPS and victims, and the extent to which prosecutors are aware of, and advise the police on Stalking Protection Orders where appropriate. Through the development of the inspection methodology, including file examination criteria, interview questions and focus group discussions, we sought to assess the extent to which the CPS is effectively addressing these issues and concerns.

4. Framework and methodology

Inspection framework

4.1. The framework for this inspection consisted of an overarching inspection question and several sub-questions. The inspection question was:

How effective is the Crown Prosecution Service (CPS) in charging, building and prosecuting strong cases that support and protect victims of stalking?

4.2. We assessed the CPS's strategic approach to stalking or harassment prosecutions, the quality of legal decision-making, the progression of cases, and the extent to which prosecutors are supported by training, guidance and quality assurance arrangements.

4.3. The inspection considered the full prosecution process, including police file quality, charging decisions, case building, victim and witness support, court services and partnership working. It also examined the CPS's compliance with its obligations to victims, its use of protective measures, and its work with criminal justice partners and specialist organisations to improve outcomes and promote good practice.

4.4. The inspection framework is set out in full in annex A.

Methodology

File examination

4.5. Inspectors examined 350 cases (25 from each of the 14 CPS geographical Areas). We reviewed and assessed these files against a question set which can be found in annex A.

4.6. To assess whether prosecutors were charging stalking offences appropriately, we did not limit our file examination only to cases where stalking offences had been authorised. We also reviewed cases where charges of harassment and breaches of protective orders had been authorised, as our previous inspections had identified that these offences are among those most likely to be authorised in place of stalking. This allowed us to examine whether stalking or harassment offences were identified and authorised as appropriate, in accordance with the evidence. These were broken down as follows.

Case type	Magistrates' court cases per CPS Area	Crown Court cases per CPS Area	Total cases per CPS Area
Stalking	8	6	14
Harassment	3	2	5
Breaches of protective orders	2	1	3
Stalking cases resulting in no further action (including any reopened following a successful review)			3 (these were not chosen by case type)

4.7. HMCPSI inspectors examined 350 cases submitted by the police to the CPS for a charging decision. They included 308 cases where the CPS authorised charge and 42 cases where prosecutors decided to take no further action (NFA). The NFA cases were all decisions made by Area prosecutors. Including NFA cases enabled us to assess both the quality of charging decisions and the appropriateness of decisions not to prosecute.

4.8. Of the 308 cases in which the CPS authorised charge, 126 were Crown Court cases and 182 were magistrates' court cases.

4.9. CPS Direct prosecutors made the decision to charge in 228 of the 308 charged cases (74%) and CPS Area prosecutors made the decision to charge in 80 cases (26%).

4.10. In order to assess whether the CPS was correctly following guidance and selecting the most appropriate charges, we randomly chose a mix of cases that were charged as stalking, harassment and breaches of restraining order as follows:

- 196 stalking cases
- 70 harassment cases
- 42 breach cases.

4.11. All 42 NFA cases were submitted to the CPS as allegations of stalking, allowing inspectors to assess whether decisions not to prosecute were made appropriately and in accordance with the Code for Crown Prosecutors.

4.12. To capture current practice, we examined the most recently finalised cases wherever possible; and our starting point was to examine cases that had

been charged after January 2025. However, due to court backlogs both in the magistrates' courts and the Crown Court, we also selected a number of cases that were live at the time of review, to make sure we had enough recent cases to reach meaningful judgements. Of the 350 cases we examined, 280 were finalised and 70 were live (31 live magistrates' court cases and 39 live Crown Court cases).

4.13. Many stalking offences are committed against a backdrop of domestic abuse, but some are not. We therefore also included a number of non-domestic abuse stalking cases in our sample. 292 cases were flagged as domestic abuse cases and the other 58 were non-domestic abuse cases.

4.14. In line with our methodology, we held an internal consistency exercise for our inspectors and representatives from the CPS, using the question set and guidance. Our file examination assessments were then subject to internal quality assurance, which included data checks and dip sampling. Dip samples were checked again by a senior legal inspector to ensure consistency of approach.

Documentation review

4.15. We requested and reviewed documents relevant to stalking or harassment, including:

- the CPS's guidance on stalking or harassment
- agendas and minutes from local scrutiny panels and case management panels
- assurance documents
- stalking performance data, including volumes of stalking cases subject to a second prosecutor review in accordance with the Victims' Right to Review scheme in 2024.

CPS Areas selected

4.16. We interviewed staff from four CPS Areas. Through on-site visits, we assessed people's understanding of the CPS's guidance and the Code of Practice for Victims of Crime (the Victims' Code), approaches to casework, training arrangements and partnership working.

4.17. When considering which CPS Areas to include in the inspection, we selected:

- CPS Mersey-Cheshire and CPS Wessex because of their involvement in a pilot that places victims of domestic abuse-related stalking within enhanced service teams
- CPS East Midlands to examine the handling of stalking cases across a geographically diverse Area (the East Midlands covers five counties and includes large cities and rural communities)
- CPS Thames and Chiltern because it authorised a comparatively high proportion of stalking offences relative to harassment offences in comparison to other CPS Areas.

Interviews and focus groups

4.18. We interviewed CPS staff at both national and Area level to understand how the CPS manages stalking cases. This included:

- national stalking policy and legal leads
- Area stalking leads
- prosecutors
- legal managers
- inclusion and community engagement managers.

4.19. These interviews and focus groups provided evidence on casework practice, training, victim-focused working and partnership arrangements.

Inspection team

4.20. This inspection was led by legal inspector Andrew Hodgson.

4.21. He was assisted by legal inspectors Daniel Caan, Joanna Crook, Paul Henocq, Joyce Kerrins, Katrina Rennalls and Sam Wells, and associate inspectors Julie Foy, Sue Gallon and James Jenkins. Business support was provided by Shauna Compton and Ben Hayter.

4.22. The inspection was supervised by senior legal inspector Rachael Pavion.

5. The victim experience

5.1. The victim experience is central to understanding the seriousness of stalking. Fear of further contact from the offender can have a profound impact on victims, leading them to alter their daily routines, change jobs, or relocate.

5.2. The Crown Prosecution Service (CPS) is legally bound by the Code of Practice for Victims of Crime in England and Wales (the Victims' Code) to provide victims with targeted support, protection and clear communication throughout the criminal justice process.

5.3. The victim experience therefore runs through almost every aspect of a stalking case. Decisions about charge selection, case building, further investigation, risk management, applications for protective orders, victim communication and trial strategy all require prosecutors to understand the suspect's behaviour and, crucially, its impact on the victim.

5.4. We engaged with the National Stalking Consortium (NSC) at the outset of the inspection to help us to identify matters affecting victims that should be assessed through our inspection activity. The NSC highlighted concerns about:

- whether the impact of stalking is fully understood by prosecutors and made available to sentencing courts in Victim Personal Statements
- the effectiveness of the CPS's communication with victims
- prosecutors' consideration of Stalking Protection Orders as a tool to protect victims during the investigation and prosecution stages
- variation in the support available to victims.

5.5. In this chapter we explore these issues in the context of the evidence from our file examination, interviews and focus groups.

5.6. A clear understanding of the victim's experience helps prosecutors identify stalking behaviour, assess risk, select appropriate charges (we consider charge selection in chapter 7) and take opportunities to protect victims. It also enables prosecutors to build stronger cases and help the court understand the impact of the offending when determining sentence.

Risk assessments

5.7. Police officers are required to complete risk assessments in domestic abuse, stalking and harassment cases, to assess the risks posed to victims and identify the protection and multi-agency support they may require. The Director's Guidance on Charging¹⁸ and the stalking or harassment protocol, which applies to all stalking and harassment investigations commenced on or after 23 May 2018, require the police to include a full risk assessment in the file submitted to the CPS for a charging decision. Prosecutors should review that assessment when considering charge and throughout the life of the case, including when assessing bail and victim safety measures.

5.8. In March 2023, HMCPsi's report *The service from the CPS to victims of domestic abuse*¹⁹ recommended that prosecutors review the full domestic abuse risk assessment before making a charging decision and request it where one is missing. In response, and following CPS consultation with the police, from 1 September 2024 the police must include a full risk assessment in every domestic abuse file submitted to the CPS for a charging decision.

5.9. Before allocating a case to a prosecutor for a charging decision, CPS operational delivery staff carry out a triage process to make sure the file complies with the Director's Guidance on Charging and the National File Standard and contains the key material a prosecutor needs to make an informed charging decision. When the police omit key material, including the risk assessment required in stalking or domestic abuse cases, operational delivery staff should reject the file and return it to the police. It should only be allocated to a prosecutor when it is complete.

5.10. During our file examination, we found that police file submissions were inconsistent in their provision of risk assessments to the CPS when requesting a charging decision.

5.11. Risk assessments should have been provided in 348 of the 350 cases in our file sample²⁰. They were present in 242 of these 348 cases (69.5%). Of the other 106 cases where no assessment was provided, the CPS should have

¹⁸ *Director's Guidance on Charging, sixth edition, December 2020, incorporating the National File Standard*; CPS; December 2020.

cps.gov.uk/prosecution-guidance/directors-guidance-charging-sixth-edition-december-2020-incorporating-national

¹⁹ *The service from the CPS to victims of domestic abuse*; HMCPsi; March 2023.

hmcp.si.justiceinspectors.gov.uk/report/the-service-from-the-cps-to-victims-of-domestic-abuse-2/

²⁰ The other two cases did not require the police to submit a full risk assessment. One involved a restraining order breach arising from a neighbour dispute and, in the other, the CPS appropriately amended the proposed charge from a public order offence to harassment.

requested the missing document from the police in 101 cases²¹, yet did so in only 19 (18.8%).

5.12. There were 292 cases within the overall file sample of 350 that were flagged as domestic abuse. In 58 of those cases (19.9%), no risk assessment was provided by the police. In 38 of those 58 cases (65.5%), the CPS did not provide feedback about this omission. This raises concerns about compliance, given that the risk assessment is a mandatory requirement in all domestic abuse cases as well as those involving stalking or harassment.

5.13. Despite not always being provided with a risk assessment, CPS prosecutors and managers we spoke with had a good understanding of the risks posed to victims in stalking or harassment cases, and the need to make sure appropriate measures were in place to enable victims to provide their best evidence at trial.

5.14. Evidence gathered from interviews and focus groups indicated that risk assessments were generally expected as part of the police file submission. We were told that files would fail and be rejected at triage if a risk assessment was missing. Although this is the clear expectation when applying the CPS's standards, there is a disconnect with what happens in practice; evidence from our file sample indicates that this is not consistently or routinely followed.

5.15. We found that the operational delivery triage system was not identifying omitted risk assessments at the outset, and then this was not being consistently and routinely addressed by prosecutors when they subsequently reviewed cases. Risk assessments are important in stalking cases because they may help prosecutors understand escalating behaviour on the part of the suspect, the victim's vulnerability and the immediate protective measures required to ensure the victim's safety. Where a risk assessment is absent, charging decisions may be made without a full appreciation of risk.

5.16. Although the NSC did not specifically raise the provision of risk assessments as a concern during our early engagement, the failure to obtain a risk assessment is relevant to the issue the NSC raised about making sure prosecutors understand the behaviours, impact and risk associated with stalking behaviour.

²¹ In the other five cases, the CPS was not required to request a risk assessment. In one of those cases, the victim did not support a prosecution. In the remaining four, the CPS advised no further action.

Compliance issue

The Crown Prosecution Service should ensure that full risk assessments are obtained and considered in all stalking or harassment cases, in line with the requirements of the Director's Guidance on Charging and the stalking or harassment protocol.

Victim Personal Statements

5.17. Victim Personal Statements (VPSs) give victims the opportunity to explain the impact that the offending behaviour had on them, including any physical, emotional, psychological, or financial harm they have suffered.

5.18. Police officers should ask all victims of all criminal offences if they would like to make a VPS when completing their initial investigation. Where the victim declines, that information should be set out clearly on the file. Where a victim wishes to make a VPS, an impact statement should be taken and included in the file that is passed to the CPS for a charging decision. Like risk assessments, VPSs often contain useful information that prosecutors can take into consideration when deciding on charge, and whether to apply for a remand in custody or propose bail conditions.

5.19. The Victims' Code gives victims a statutory right to make a VPS. Both the police and the CPS have responsibilities to make sure this right is delivered. Where the police file does not contain either a VPS or confirmation that the victim has declined to make one, prosecutors should take steps to establish whether the victim has been asked whether they want to make a VPS, and to obtain one where they wish to do so.

5.20. Prosecutors may also rely on the information provided in the VPS to assess the seriousness of the offence under consideration, and whether the overall pattern of conduct meets the legal requirements for stalking or suggests a different offence. In cases involving stalking, VPSs also provide additional information about impact that can sometimes form evidence to support the more serious stalking offence under the second limb of the section 4A offence, by setting out details of a substantial adverse effect on the victim's usual day to day activities.

5.21. If a defendant is convicted, the court is required to consider the VPS when determining sentence. The VPS is a useful tool when deciding on appropriate terms for a restraining order.

5.22. The VPS is of critical importance to the prosecution and the criminal justice process. Despite it being a statutory right that the CPS should work with the police to deliver under the Victims' Code, we found that a VPS or information

as to whether the victim wishes to make a VPS was not always submitted before charge and, where this was missing, the CPS did not always request further information from the police.

5.23. The police file submission included either a VPS or an explanation for its absence in fewer than half the cases where a VPS was required (49.6%). Interviews and focus groups with CPS staff reaffirmed that police file submissions frequently lacked a VPS and that, in some cases, the police indicated that a VPS would only be provided if the CPS authorised a charge. This is clearly not in accordance with the National File Standard and the joint protocol²², and is something that senior leaders within the CPS will want to address urgently with its police counterparts. The failure to provide a VPS in over half of the cases we examined is of serious concern.

5.24. When requesting a charging decision, annex 4 of the Directors Guidance on Charging requires the police to inform the CPS whether they have offered the victim an opportunity to make a VPS and whether the victim:

- has provided a VPS or intends to provide one
- wishes the VPS to be read out
- wishes to read out the VPS themselves
- has declined the opportunity to make a VPS.

5.25. However, the National File Standard, contained in annex 5 of the Director's Guidance on Charging specifies that a VPS will be provided where applicable. During our joint case building inspection²³, we noted this ambiguity in the guidance and made a recommendation (recommendation 12) that the Director's Guidance on Charging and the National File Standard be reviewed and clarified to remove uncertainty.

5.26. The CPS should have asked the police to obtain a VPS in 162 cases and did so in 117 of those cases (72.2%). The lack of a VPS was identified at the

²² "When considering what charges (if any) are applicable, prosecutors will examine the impact on the complainant as well as the conduct of the suspect to determine whether someone has been stalked or harassed. The detailed statement from the complainant, along with a Victim Personal Statement will help determine the right charge." Paragraph 4.6, *Joint protocol on the appropriate handling of stalking or harassment offences*; CPS; May 2018.

cps.gov.uk/national-protocols-and-agreements-other-agencies#a05

²³ *Joint case building by the police and Crown Prosecution Service*; CJI; July 2025. cji.justiceinspectors.gov.uk/inspection-report/hmcpsi-hmicfrs-joint-case-building-report/

operational triage stage in one case, the remainder being requested by the charging prosecutor in an action plan..

5.27. We went on to examine whether at the point of sentence, there was a VPS on the case and whether it was brought to the attention of the court in accordance with the victim's wishes.

5.28. Of the 308 charged cases we examined, some remained live. Others had concluded with an acquittal or the case being dropped²⁴. Of the 212 cases in the sample that had concluded by way of a guilty plea or a conviction after trial, 144 had been sentenced.

5.29. In 31 of those 144 cases, no VPS was available for the sentencing hearing. This included 19 cases where the police did not provide a VPS despite CPS requests and 12 cases where the CPS had not requested one. This represents just over one in five victims not having their views available to the sentencing court.

5.30. In the remaining 113 cases there was a VPS on the case at the sentence hearing and we assessed in those 113 cases whether and how the VPS had been used at the sentence hearing. In 65 cases, the VPS was presented to the court in accordance with the victim's wishes and so the CPS fully met its duties. In 13 cases, the victim's wishes had not been recorded but the VPS was present and used, and in one case the victim had provided a VPS and expressed a wish to read it themselves but the endorsement of the hearing on the case file did not provide enough information to ascertain whether this had happened.

5.31. In another 34 cases, although a VPS was available on the case file, the hearing record sheet did not contain enough information to determine whether or how it had been used at sentence.

5.32. These findings indicate that victims of stalking or harassment do not consistently have the opportunity to have their voices heard at sentence. Given the importance of the VPS in enabling the court to understand the impact of the offending, and the statutory right to make a VPS under the Victims' Code, this is an area of performance requiring urgent improvement.

5.33. Our findings echo the concerns the NSC raised when we engaged with it at the outset of this inspection. The absence of a VPS creates the risk that the victim's experience will not be fully understood and may leave victims feeling

²⁴ 308 cases: convictions/guilty pleas — 212; acquittals/cases dropped — 38; live cases not yet concluded — 58.

that the criminal justice system has not properly considered the impact of the offending on them.

Recommendation

By April 2027, the Crown Prosecution Service should improve its engagement with the police post-charge to ensure that, in every relevant case, a Victim Personal Statement is obtained or the victim's decision not to provide one is confirmed and recorded. In full code test cases, this information should be available on the case file by the first hearing.

Stalking Protection Orders

5.34. A Stalking Protection Order (SPO) is a civil order applied for by the police to protect victims of stalking; it is entirely separate from a criminal prosecution for stalking offences. SPOs were introduced by the Stalking Protection Act 2019 and came into force on 20 January 2020. Breaching an SPO is a criminal offence with a maximum penalty of five years' imprisonment. They are a powerful tool to provide protection for victims. Importantly, the police can apply for an SPO even if there is no criminal charge or prosecution for stalking.

5.35. An SPO can include both prohibitions, setting out what individuals must not do, and requirements, setting out what they must do. For example, an individual may be prohibited from contacting the victim in any way or from entering certain locations. They may also be required to attend programmes aimed at addressing the underlying causes of their behaviour.

5.36. The CPS's guidance about SPOs is contained within the stalking or harassment prosecution guidance. It sets out the expectation that when giving early advice at the pre-charge stage, when making a charging decision, and/or when the case has been charged, prosecutors should consider providing advice to the police about obtaining an SPO²⁵. Despite this expectation, we found little evidence that prosecutors routinely consider SPOs at any stage during the life of a stalking case. SPOs were considered in only three out of 200 cases (1.5%) where advice on an application should have been considered.

5.37. In our discussions, the NSC raised concerns about whether prosecutors understand SPOs and routinely consider advising the police about making an application for one. Our findings support the Consortium's concern. The extremely limited consideration of SPOs found in our file examination — together with the view many prosecutors expressed in the focus groups, that

²⁵ *Stalking or harassment*; CPS; January 2025.
cps.gov.uk/prosecution-guidance/stalking-or-harassment

SPOs are solely a police responsibility — demonstrates a significant gap between the standard set out in the CPS's guidance and operational practice.

5.38. National stalking and policy leads informed us that a lot of work has been done with front line prosecutors and legal managers to raise awareness around the importance of considering and advising the police about applications for SPOs as another way of protecting victims, alongside the use of bail, remand and other protective orders. Most prosecutors we spoke to were aware that the CPS prosecutes breaches of SPOs, but no one we spoke to was able to provide an example of advising the police on the availability of SPOs or their value in protecting victims. The general view, expressed by both legal managers and prosecutors, was that SPOs were a matter for the police.

Compliance issue
The Crown Prosecution Service should ensure that prosecutors routinely advise the police on obtaining a Stalking Protection Order when advising on any case involving allegations of stalking, to comply with the standard set out in existing guidance, to ensure methods of protecting victims of stalking are properly considered in all cases.

Bail

5.39. Throughout the life of a case, the prosecution has a responsibility to ensure the safety of victims as far as is possible, by making appropriate applications to remand defendants in custody, or by seeking bail with suitable conditions attached.

5.40. We found that the CPS made appropriate decisions around the suspect's bail status in most of the cases we examined. Our file examination showed that, in 262 out of 308 cases (85.1%), the prosecutor at the pre-charge stage actively considered the suspect's bail status and the approach to be taken to bail after charge in order to provide suitable protection for the victim and members of the wider public.

5.41. While this is positive, more needs to be done, as that still leaves 46 victims who were potentially at risk, where there was no evidence of the prosecutor having considered or made appropriate decisions on bail. The CPS will want to build on our findings to make sure every victim is fully supported, and risk is mitigated through thorough consideration of bail in every stalking case.

Special measures and support for victims and witnesses

5.42. Attending court to give evidence can be stressful and re-traumatising for victims and witnesses, potentially affecting the quality of their evidence. Special measures are designed to support vulnerable and intimidated witnesses to give their best evidence. They may include giving evidence behind a screen, via live link, or with the assistance of an intermediary.

5.43. When seeking a charging decision, the police should provide the prosecutor with information about a victim's or witness's ability to give evidence, any measures that may assist them to give their best evidence, and the reasons they are eligible for those measures. This information should be provided on a Manual of Guidance Form 2 (MG2) to enable the prosecutor to properly assess the need for special measures and, where necessary, make an effective application to the court. Given the impact that stalking can have on victims, early consideration of appropriate special measures is an important part of supporting them through the prosecution process.

5.44. We found that the CPS performed well in considering measures to support victims and witnesses. Before charge, prosecutors actively considered special measures in 225 out of 292 applicable cases (77.1%). This included requesting MG2 forms from the police, identifying appropriate measures to apply for and providing appropriate instructions to court prosecutors.

5.45. Performance in relation to special measures was good in Crown Court cases, with appropriate measures considered in 95 out of 120 (79.1%) applicable cases. This was slightly better than in magistrates' court cases, where appropriate measures were considered in 130 out of 172 (75.6%) applicable cases.

Case study

In one case involving a victim who was already due to give evidence by live link in related harassment proceedings, the charging prosecutor identified that no Manual of Guidance Form 2 (MG2) had been provided, despite a further charge of stalking involving serious alarm or distress being authorised. Recognising that the victim was likely to require the same support in both cases, the prosecutor directed the police to confirm the victim's wishes and provide an MG2. An application was subsequently made to the court, and special measures were again granted.

Following charge, another case review identified conflicting information on the case file about whether the court had granted screens or a live link and instructed the advocate to clarify the position at the next hearing. The discrepancy was resolved before trial, and the victim received the live link support she had requested to support her in giving evidence at trial. This demonstrated a proactive and victim-focused approach to identifying and addressing special measures needs throughout the life of the case.

5.46. We found that performance improved after charge, with special measures appropriately considered in 85 out of 99 (85.9%) Crown Court cases and 97 out of 106 (91.5%) applicable magistrates' court cases. This is a strength.

Restraining orders

5.47. At the commencement of a stalking case, prosecutors should consider whether it is appropriate to apply for a restraining order at the conclusion of the case to protect the victim.

5.48. Restraining orders generally contain a number of prohibitions to prevent any contact between the defendant and victim. Examples include stopping the defendant from contacting the victim, either directly or indirectly, attending the victim's home or workplace, contacting family members by any means or being in specified locations. Appropriate terms will depend on the individual circumstances and risks presented in the case.

5.49. Restraining orders are a valuable tool to protect victims. They can be applied for by the prosecution and granted by the court even where a defendant is acquitted after trial. It is a criminal offence to breach a restraining order, carrying a maximum sentence of five years' imprisonment.

5.50. There were 301 cases in our file sample of 350 where the prosecutor should have considered, at the pre-charge stage, whether to apply for a

restraining order at the conclusion of the case. This was done in 245 of the 301 cases (81.4%), demonstrating strong performance and a clear focus on protecting victims at the charging stage.

5.51. To help prosecutors gather the information they need to make applications and propose proportionate terms that properly reflect victims' needs, it is vital to consider protective orders early on.

5.52. An application for a protective order was made in 164 of the 174 cases where one could have been made (94.3%). In one case, we found evidence on the CPS's case management system that the victim was consulted about possible terms for a restraining order at various times as the case progressed. This culminated in a restraining order being granted at the sentencing hearing, which protected not only the victim, but also her husband and children. This demonstrates how proactive engagement with victims can help secure tailored protective measures that address the full impact of the offending and enhance victims' safety.

Communication with victims

5.53. The CPS has a statutory duty to engage with and support victims and witnesses under the Victims' Code. The CPS's responsibilities include providing information, seeking views on case outcomes and, as we have previously discussed, helping to arrange a safe environment for giving evidence by applying for appropriate special measures.

Accepting lesser pleas

5.54. In some cases, the prosecutor may consider accepting a guilty plea to an alternative charge to the original or significantly altering a charge. Although the decision is the prosecutor's alone, they will, wherever possible, engage with the victim to discuss the decision. On occasion, this can elicit further evidence or material to support the original charge.

5.55. We found mixed performance with regard to discussing the acceptability of pleas with the victim or victim's family. In our file sample, there were 34 Crown Court cases where this was a relevant consideration, and the CPS engaged with the victims in 25 of those cases (73.5%). This was significantly better than in the magistrates' court cases where, of the 23 cases where alternative pleas were offered, we found evidence of engagement in 10 cases (43.5%).

5.56. Failing to discuss the offer of a plea with a victim undermines the CPS's commitment to support victims and the level of support they can expect. There is a risk that a complaint could result, along with a loss in public confidence.

Speaking to victims at court

5.57. Prosecutors have a vital role in ensuring that victims and witnesses give their best evidence at court. In recognition of this, the CPS developed guidance on speaking to witnesses at court (STWAC)²⁶, which emphasises the importance of this function and sets out what prosecutors can and cannot say to assist a witness at court.

5.58. Prosecutors should explain court procedure to a witness who may be nervous about giving evidence, keep the witness informed of any delay and help them to understand what to expect. They cannot coach a witness and must comply with ethical and legal requirements to make sure a fair trial takes place.

5.59. In 78 cases in our file sample, there was a requirement to speak to witnesses at court. We found that the STWAC guidance was complied with in 55 of these cases (70.5%). In the remaining 23 cases, either the guidance was not complied with or there was no record of any consultation with victims and witnesses on the court hearing record sheet or anywhere on the CPS's case management system.

5.60. These findings demonstrate an improvement from our inspection of the CPS's service to victims of domestic abuse, published in March 2023, where we found that victims and witnesses were spoken to in 50.3% of applicable cases.

5.61. While the CPS is on a positive trajectory, it will want to work more with prosecutors, paralegals and advocates to ensure consistent compliance with STWAC guidance and adequate records of conversations that take place.

Letters to victims

5.62. In accordance with its duties under the Victims' Code, the CPS must write a letter to a victim of crime whenever a charge related to them is either dropped or substantially altered. These are called Victim Communication and Liaison (VCL) scheme letters.

5.63. Where the victim is deemed to be vulnerable or intimidated, is a victim of a serious crime (which includes domestic abuse), or has been targeted repeatedly over a period of time (such as in stalking cases), the letter should be sent within one working day of the decision to stop the case or substantially alter a charge. This is known as an enhanced service. The timescale in all other cases is five working days, referred to as the standard service.

²⁶ *Speaking to witnesses at court*; CPS; October 2024.
cps.gov.uk/prosecution-guidance/speaking-witnesses-court

5.64. We found that, before charge, prosecutors correctly identified the level of service the victim was entitled to in 309 of our 350 cases (88.3%). This is a strength.

5.65. In 39 of the remaining 41 cases (11.1%), the prosecutor incorrectly identified that the victim was entitled to the standard service when in fact they were entitled to an enhanced service. In the other two cases (0.6%), the prosecutor incorrectly identified that the victim was entitled to an enhanced service, when it should have been standard.

5.66. We did not assess the quality of VCL scheme letters in this inspection, as we considered this extensively in our recent inspection of VCL scheme letter quality. In that inspection, taking all the factors that contribute to letter quality into account, we found that 36.9% of the letters we assessed were adequate or better. In this inspection, we focused on whether a letter had been sent where required and whether it was issued within the appropriate timescales.

5.67. A VCL scheme letter should have been sent to the victim in 111 of the cases we assessed; one was sent in 80 cases (72.1%). While the majority of victims were properly allocated the type of service they were entitled to, our findings indicate that the processes for making sure letters are sent were not always operating effectively.

5.68. The timeliness of sending VCL scheme letters also requires improvement. In the 80 cases where a letter was sent, 30 (37.5%) were sent outside the required timescale. These findings around the VCL scheme support the NSC's concerns about the effectiveness of the CPS's communication with victims.

5.69. Failure to communicate in a timely way is a breach of the Victims' Code and means that victims may not receive a prompt explanation when a prosecution is ended or a charge is substantially altered. Such delays risk undermining victims' confidence in the process, leaving them feeling unsupported, potentially hearing the decision from others (including the alleged perpetrator), and potentially affecting their ability to consider and exercise their right to seek a review of the decision.

Victims' Right to Review scheme

5.70. The CPS Victims' Right to Review (VRR) scheme enables victims to request a review of CPS decisions either not to start, or not to continue with a prosecution²⁷. The right is preserved in Right 6 of the Victims' Code. The VRR scheme applies to:

- a final decision not to bring proceedings at the pre-charge stage
- the discontinuance or withdrawal of all charges involving the victim
- the offering of no evidence in all proceedings relating to the victim
- the court being asked to leave all charges to lie on the file²⁸.

5.71. Of the 350 cases we examined, there were 19 cases where the victim should have been informed of their right to review the CPS's decision to stop their case. In 14 of those cases (73.7%), the CPS appropriately advised the victim about their right to review. In the remaining five cases, the CPS failed to inform the victims of their right to a review.

5.72. As with a failure to send out a VCL scheme letter where necessary, this is a breach of the Victims' Code, which leaves victims potentially unaware of their rights and undermines public confidence in the CPS and the wider criminal justice system.

²⁷ *Victims' Right to Review scheme*; CPS; May 2021.

cps.gov.uk/prosecution-guidance/victims-right-review-scheme

²⁸ Charges that are left to lie on the file are not taken any further because they would not change the outcome of the case, usually because the defendant has already been convicted of, or admitted, other offences. The charges remain on record and can only be reopened with the court's permission.

Compliance issue

By May 2027, the Crown Prosecution Service should ensure that:

- victims entitled to Victim Communication and Liaison scheme communications are correctly identified as being entitled to an enhanced service
- Victim Communication and Liaison scheme letters are consistently issued in all applicable cases
- letters are sent within the timescales required by the Code of Practice for Victims of Crime
- all victims that have the right to a review are informed of that right.

Conclusions

5.73. Our engagement with the NSC highlighted concerns about whether the criminal justice response consistently reflects the impact of stalking on victims, whether victims are kept properly informed, and whether the available measures for their protection are fully understood and used.

5.74. Our findings present a mixed picture. They substantiate the NSC's concerns in several important respects, particularly in relation to the provision and use of VPSs, consideration of SPOs and compliance with VCL scheme requirements.

5.75. We identified several areas of positive performance. Prosecutors generally considered bail appropriately, actively considered special measures and made effective applications for restraining orders. These findings demonstrate that many prosecutors recognise the risks associated with stalking and take appropriate action to support and protect victims.

5.76. Overall, our findings demonstrate that the CPS has many of the policies, guidance and processes required to provide a good service to stalking victims, but these are not applied consistently throughout the life of a case. Missing risk assessments and VPSs, limited consideration of SPOs, and delayed or absent communication can prevent prosecutors from fully understanding victims' experiences, weaken the protective response and leave victims feeling that their voice has not been heard.

6. Relationships with stakeholders

6.1. Effective prosecution of stalking offences depends on strong and collaborative relationships between the Crown Prosecution Service (CPS), police forces, Witness Care Units (WCUs), the courts, and wider safeguarding partners. The complex and often escalating nature of stalking behaviour requires agencies to work together to build robust cases, progress them efficiently, and protect victims throughout the criminal justice process.

6.2. Our file examination, document review, interviews and focus groups identified examples of positive joint working, including joint operational meetings, local scrutiny arrangements, stalking panels and collaborative approaches to victim safeguarding.

6.3. We also found inconsistencies in the quality of information that agencies exchanged and some variation in how partners used available safeguarding tools.

Working with the police

6.4. For CPS Areas, police forces are the CPS's primary operational stakeholder. As they are responsible for investigating crime, gathering evidence and presenting it to the CPS for a charging decision, it is critical that relationships at all levels are constructive and effective.

6.5. Joint operational improvement meetings (JOIMs) are currently the main forum for collaboration between the CPS and police. JOIMs identify and resolve operational issues, improve performance and deliver better outcomes for victims, witnesses and the wider criminal justice system.

6.6. Each CPS Area operates separate operational JOIMs for their magistrates' court, Crown Court and rape and serious sexual offences units, chaired by District Crown Prosecutors and police Chief Inspectors. These meetings focus on local priorities and report to a strategic JOIM, chaired by Deputy Chief Crown Prosecutors and Assistant Chief Constables, which sets priorities, oversees progress and escalates issues where needed.

6.7. We found that some CPS Areas use these meetings constructively. For example, in Wessex, there was regular engagement with the police through monthly JOIMs and, notably, quarterly stalking-specific JOIMs and stalking panels to discuss casework, address evidential issues and provide feedback on file quality in relation to stalking cases. East Midlands held quarterly stalking scrutiny panels, which invited input from relevant third sector agencies. These efforts demonstrate a more focused joint effort to address stalking casework issues than in other CPS Areas.

6.8. We also found evidence that legal managers use JOIMs to raise concerns about police file quality and provide feedback to police inspectors. This is important because several recurring issues affect the quality and timeliness of stalking prosecutions, including insufficient detail in victims' statements, weak chronologies, irrelevant screenshots, cases submitted close to statutory time limits, and limited information about victims' wishes for restraining order prohibitions.

6.9. However, we did not find that JOIMs consistently drive sustained improvement in stalking casework. Some Areas described routine police engagement but could not identify stalking-specific issues raised by partners, dedicated stalking forums, or measures used to assess whether partnership working improved outcomes. In Wessex, the quarterly stalking JOIMs and panels were described as a recent development, and the Area indicated it was too early to ascertain whether the specific focus had led to improvement.

6.10. Our file examination revealed repeated issues with police file quality and, in particular, the lack of risk assessments and Victim Personal Statements in the initial file submission from the police (see chapter 5). The CPS should raise these issues in operational JOIMs as a matter of priority, referring to the joint protocol that clearly sets out the expectations for both investigators and prosecutors, including that risk assessments and VPSs should be included in file submissions to the CPS. The quality of CPS action plans should also be considered and discussed at JOIMs (see chapter 7).

Engaging with the courts and supporting victims

6.11. In our joint inspection of meeting the needs of victims in 2023, together with HMICFRS, we recommended improving information sharing between police WCUs and CPS Areas²⁹. As part of the work to achieve that recommendation, the National Police Chiefs' Council and CPS worked together to develop a joint framework for victims' communications, with an overarching aim of helping victims feel informed, supported and able to participate effectively in proceedings³⁰. The agencies recognised that effective communication and information sharing is essential to meeting victims' rights under the Code of Practice for Victims of Crime (the Victims' Code) and supporting them to give their best evidence.

6.12. The framework requires WCUs and CPS Areas to establish strong operational and strategic communication channels, respond promptly to requests for information, record communications consistently, and work collaboratively to resolve issues that could affect victim support. It places particular emphasis on:

- detailed needs assessments
- identifying communication and accessibility requirements
- reviewing special measures
- arranging interpreters and intermediaries where necessary
- facilitating pre-trial support and court familiarisation visits
- ensuring victims receive clear information about hearings, delays and outcomes.

6.13. In 20 of the 350 files they assessed during the inspection, our inspectors were able to find evidence to provide a substantive answer to the question of whether the CPS or police WCU had liaised effectively with the court before trial to make sure support options were utilised for victims. Inspectors assessed these liaisons as effective in 18 cases (90%) and ineffective in two (10%).

²⁹ *Meeting the needs of victims in the criminal justice system*; CJIJ; December 2023. ciji.justiceinspectorates.gov.uk/inspection-report/meeting-the-needs-of-victims-in-the-criminal-justice-system/

³⁰ *Three new products announced to improve service for victims of crime*; CPS; May 2025. cps.gov.uk/cps/news/three-new-products-announced-improve-service-victims-crime

6.14. While our evidence base was limited, the lack of recorded information is itself a finding.

6.15. In most cases, there was no evidence on the file as to whether anyone had discussed support arrangements with the court, whether victims' changing needs had been communicated, or whether practical arrangements such as live link facilities, interpreters or other support measures had been confirmed. While this does not necessarily mean that no such liaison occurred, it prevented our inspectors from assessing whether victim support arrangements had been actively managed and followed through.

6.16. When such information is not recorded, CPS staff subsequently involved in the case will not be readily able to determine what action has been taken or what support arrangements are in place. This lack of an audit trail has the potential to hinder effective case management and risks support measures not being identified, communicated or addressed appropriately.

6.17. Interview and file examination evidence also provided limited assurance about oversight of support arrangements.

6.18. Where evidence was available, inspectors found some examples of effective partnership working that helped victims participate in proceedings. In one case, a victim wished to read their Victim Personal Statement at sentence but subsequently experienced mobility difficulties. Through proactive communication between the CPS and the court, a live link was arranged, enabling the victim to deliver their statement remotely. The sentencing judge commented positively on the impact of the statement, illustrating how effective collaboration between criminal justice partners can help victims fully participate in the justice process.

6.19. While the joint framework for victim communications provides a clear structure for information sharing and victim support, our findings suggest that the CPS and its partners do not consistently record the activity required to demonstrate that these expectations have been met. The absence of evidence of liaison on many files limited inspectors' ability to assess whether victims received appropriate support before trial, and reduced assurance that agencies had identified and responded to victims' needs throughout the life of the case.

Identifying and acting on accessibility needs

6.20. There were 17 cases where accessibility needs were relevant. In 10 cases (58.8%), the CPS properly identified the accessibility needs and took appropriate action, most commonly by arranging interpreter support.

6.21. In the remaining seven cases (41.2%), the CPS did not consistently meet victims' needs. We found examples where the CPS did not translate letters sent to victims, did not request interpreters for court despite them being involved when the police took witness statements, and failed to follow through on a pre-charge enquiry about whether a victim needed an intermediary. Although the sample was small, these findings indicate inconsistent practice and show that some victims did not receive the tailored support envisaged by the joint framework.

6.22. These shortcomings had the potential to affect victims' participation. In one case, early consideration was given to the need for an intermediary because of a victim's severe anxiety, but the issue was not pursued after charge, and the victim was ultimately unable to give evidence. Inspectors also identified examples where prosecutors overlooked indicators of vulnerability or failed to revisit support needs as cases progressed.

6.23. The National Stalking Consortium (NSC) raised concerns about the consistency of support available to victims through the court process. Members reported variation between CPS Areas in access to specialist stalking support, inconsistent referral practices across police forces, and cases where victims did not have direct access to victim support services. They considered that these differences could affect victims' ability to receive timely and appropriate support.

6.24. Our findings broadly accord with these concerns, highlighting how weaknesses in communication, recording and coordination can make it more difficult to make sure victims receive appropriate support throughout the life of a case.

6.25. Overall, the inspection found that, while many prosecutors recognised the importance of supporting vulnerable victims, they did not always identify accessibility needs early enough or translate those needs into timely and proportionate action.

Local scrutiny involvement panels

6.26. Local scrutiny involvement panels (LSIPs) are a key part of the CPS's community engagement arrangements. Together with the National Community Accountability Forum and other consultation groups, they enable communities to scrutinise the CPS's decision-making and influence how services are delivered. LSIPs also help the CPS engage with communities who may be less confident in the criminal justice system, with the aim of improving service delivery and strengthening public confidence.

6.27. Our inspection found that LSIPs provide a valuable forum for scrutiny, learning and stakeholder engagement. In the Areas we visited, panels brought together police forces, third sector organisations, community representatives, CPS leaders and operational staff to review cases, discuss victims' experiences and identify barriers to effective service delivery.

6.28. CPS prosecutors and managers described improvements in the tone and accessibility of communications with victims, particularly letters to explain decisions to take no further action and highlighted the value of exposing prosecutors to victims' lived experiences through participation by victims' groups, independent domestic violence advisers (IDVAs) and other third sector organisations. Areas also described processes for escalating issues identified through scrutiny panels to CPS management and providing feedback on actions taken.

6.29. While some Areas had established scrutiny arrangements that included stalking cases, the evidence did not demonstrate a consistent approach across all Areas. Wessex included stalking cases in quarterly domestic abuse scrutiny panels, and East Midlands operated quarterly stalking scrutiny panels. However, inspectors found less evidence of dedicated CPS stalking forums in other Areas and could not identify consistent mechanisms for measuring the impact of scrutiny activity on stalking outcomes.

6.30. The CPS's *Stalking action plan 2026–2030* intends to establish an annual national scrutiny panel on stalking, harassment and coercive control. This is planned to provide a forum for stakeholders to share learning, identify good practice and drive continuous improvement. We welcome this initiative and consider it a positive step towards improving outcomes for victims. For it to achieve its intended impact, the CPS will need to make sure that learning from the scrutiny panel is translated into measurable improvements in stalking casework.

Inclusion and community engagement managers and the third sector

6.31. Inclusion and community engagement managers (ICEMs) work in every CPS Area and casework division. They are responsible for establishing partnerships with local voluntary groups, charities and external stakeholders. They facilitate LSIPs, advise local colleagues about impacts on communities, diversity and public confidence, and deliver educational and awareness sessions with schools and other third sector organisations.

6.32. We found that ICEMs played an important role in building relationships with third sector organisations and bringing victims' perspectives into CPS learning, but their impact on the quality of stalking casework and victim experience was less clear. In Wessex, the ICEM described regular engagement through domestic abuse scrutiny panels, bi-monthly IDVA and independent sexual violence adviser (ISVA) meetings, external domestic abuse forums and communication with third sector partners. One stalking case is reviewed at each scrutiny panel, which provides a route for partners' insight and victims' experiences to inform CPS understanding.

6.33. In East Midlands, the ICEM coordinated quarterly domestic abuse scrutiny panels involving a wide range of organisations, including Women's Aid, Equation, local authority projects, victim support services and academic partners. Feedback from these panels was recorded, shared with prosecutors and escalated to support learning and improvement.

6.34. In Mersey-Cheshire, the ICEM described the value of taking CPS lawyers to police scrutiny panels so they could hear directly about victims' lived experiences. The ICEM considered this essential because stalking cases cannot be fully understood "from behind a desk and behind a screen" and that prosecutors benefited from hearing about victims' experiences.

6.35. In Wessex, the domestic abuse scrutiny panel included police forces, domestic abuse charities, independent community members, CPS senior leaders, thematic leads, the ICEM and enhanced victim liaison officers. We were told that issues raised at panels are fed back to CPS management and followed up at later panels. This provides a mechanism for closing the loop with partners, although we did not hear specific examples of stalking-related changes arising from that process.

Independent domestic violence and sexual violence advisers

6.36. Some victims of domestic abuse who are deemed to be at a high risk of harm, and victims of sexual abuse, can receive support from IDVAs, ISVAs and Independent Stalking Advocacy Caseworkers (ISACs).

6.37. We found that CPS Mersey-Cheshire and Wessex had developed strong working relationships with IDVAs and ISVAs, holding regular meetings with them and engaging with external domestic abuse forums. In Thames and Chiltern, a new ICEM had only recently been appointed and was still establishing relationships and developing local engagement arrangements. The Area stalking lead recognised the value of greater engagement with third sector organisations and identified this as an area for development, while describing positive relationships with IDVAs and ISVAs in the context of rape and serious sexual offences work, which they aimed to replicate for stalking cases.

6.38. CPS East Midlands engaged regularly with a range of domestic abuse and victim support organisations through quarterly domestic abuse scrutiny panels and wider community engagement activity. However, we found limited evidence of the sort of structured engagement with IDVA and ISVA services that was described in Mersey-Cheshire and Wessex.

6.39. In Mersey-Cheshire, we were told that IDVA support has improved stalking victims' journeys by enabling earlier engagement, warmer handovers and better continuity of support, from initial reporting through to court attendance. The ICEM described IDVAs and ISVAs as important gatekeepers who can "make or break a case" because of the role they play in supporting victims and maintaining engagement.

6.40. However, we also heard that there are not enough IDVA and ISVA services and that capacity and resources are key issues. Engagement varied across geographical Areas, which suggests that the benefits of IDVA and ISVA liaison depend heavily on local relationships, partner capacity and the stability of specialist roles.

6.41. This accords with the information we were given by the NSC about the availability of support for victims.

Conclusion

6.42. We found examples of constructive CPS relationships with police partners, courts, IDVAs, ISVAs and third sector organisations. In some Areas, these relationships supported practical assistance for victims, enabled victims' experiences to inform scrutiny arrangements and provided opportunities to identify barriers in stalking casework. However, the extent and impact of this activity varied between the Areas we visited, and we found limited evidence that learning from stakeholder engagement was consistently utilised or led to measurable improvements in stalking casework.

6.43. We also found that the impact of stakeholder engagement is inconsistent. The CPS does not always identify accessibility needs early enough or translate them into clear and proportionate action. LSIPs and third sector engagement can provide valuable insight, but there is no fully embedded mechanism for converting that learning into consistent stalking-specific training, supervision, casework improvement or measurable outcomes.

6.44. The national stalking lead prioritises joint working with the police and identified ongoing collaboration as a core part of improving case outcomes. Multi-agency events and forums, including a planned national conference with police, further support strategic engagement. National and local scrutiny panels help partners identify barriers, scrutinise casework, and share learning across agencies. This needs to translate into consistent and effective improvement at the operational level, to increase compliance with the joint protocol and make sure investigators and prosecutors meet its expectations, to build strong cases and support and protect victims of stalking.

6.45. The recent introduction of the stalking flag on the CPS's case management system should, in time, enable the CPS to generate performance insights and use them to shape discussions with stakeholders, strengthen casework quality, and improve support and outcomes for victims.

7. Casework quality, training and assurance

Casework quality

7.1. The Crown Prosecution Service (CPS) aims to deliver high-quality casework that supports the fair and effective administration of justice. Decisions made by prosecutors throughout the life of a case, from the initial charging decision through to its conclusion, can have a significant impact on all involved and play a critical role in achieving fair, timely and effective outcomes.

7.2. Effective casework in all cases, including stalking, requires prosecutors to make legally sound and well-reasoned decisions, build strong cases by identifying reasonable lines of enquiry, keep cases under continual review, and keep prosecutions focused on securing a just outcome.

7.3. The CPS places casework quality³¹ at the centre of its work, emphasising the importance of fairness, proportionality, effective case building, and making decisions that can be clearly explained and understood by those affected. High-quality casework is particularly important in stalking or harassment cases, where offending behaviour can be complex, risks may escalate over time, and victims can experience a profound and long-lasting impact.

7.4. In 2023, the CPS introduced 10 case strategy principles to strengthen prosecutorial decision-making and help prosecutors develop and maintain a clear strategy for achieving a just outcome in every case.

Applying the Code for Crown Prosecutors

7.5. When the police submit a case file to the CPS, prosecutors make their decisions based on the Code for Crown Prosecutors (the Code)³². This is a public document, issued by the Director of Public Prosecutions, which sets out the general principles that prosecutors should follow when they make decisions on cases.

³¹ *Casework quality standards*; CPS; October 2014.
cps.gov.uk/publication/casework-quality-standards

³² *The Code for Crown Prosecutors*; CPS; October 2018.
cps.gov.uk/publication/code-crown-prosecutors

7.6. When making charging decisions, prosecutors must apply one of two tests under the Code. The first is the standard Full Code Test, which has two stages:

1. Is there sufficient evidence for there to be a realistic prospect of conviction?
2. Is it in the public interest to prosecute?

7.7. The other test available to prosecutors is the Threshold Test. Prosecutors can apply the Threshold Test where the Full Code Test cannot yet be met, provided that five strict conditions are met. In brief, the Threshold Test is applicable where:

- it is justified, by the circumstances or seriousness of the case, to make an immediate charging decision and there are substantial grounds to oppose bail
- the stage of the police investigation means that not all evidence is available yet.

7.8. The Full Code Test was applied in 170 of the 350 cases we examined (48.3%). The Threshold Test was applied in the remaining 180 cases (51.7%). We found that CPS prosecutors applied the most appropriate Code test in 316 cases (90.3%).

7.9. Once a case has been charged on the Threshold Test, the CPS is under a duty to keep the case under review and to apply the Full Code Test as soon as possible. This will be as soon as the anticipated evidence is received and, in any event, in Crown Court cases, usually before the formal service of the prosecution case. This ensures that there remains a realistic prospect of conviction, that the most appropriate charge is being prosecuted, that any outstanding lines of enquiry are identified and progressed, and that it is justified to continue to object to the defendant being granted bail.

7.10. Delays in applying the Full Code Test can result in missed opportunities to strengthen the case, hindering case progression and creating uncertainty for victims.

7.11. We found mixed performance in the timely application of the Full Code Test. In 110 of the 165 cases where this was an appropriate consideration (66.7%), we found that the CPS applied the Full Code Test as soon as they reasonably could. In 55 cases (33.3%), the CPS received the outstanding material required but had not applied the Full Code Test, despite having enough time to do so.

7.12. In 15 cases the application of the Full Code Test was not an appropriate consideration: 12 concluded at the first hearing (before there was an opportunity to apply the Full Code Test) and three were live cases, where material requested from the police was still outstanding.

7.13. Where the Full Code Test was not applied in a timely manner, the CPS risked missing opportunities to progress cases efficiently on a strong evidential basis. The sooner evidence and material can be served on the defence, the better, as this may lead to a guilty plea, saving victims and witnesses from having to give evidence at a trial.

Case study

In one case, the CPS applied the Threshold Test and authorised a charge of stalking involving serious alarm or distress. At the Crown Court, the defendant entered a not guilty plea at the Plea and Trial Preparation Hearing, and the case was listed for trial.

Two months before trial, the CPS was informed that the victim no longer wished to support the prosecution and intended to make a retraction statement. Despite this significant development, the case was not reviewed in accordance with the Full Code Test until six days before the trial.

The officer in the case expressed the view that the victim would be willing to attend court if a witness summons were obtained. However, no application for a witness summons was made. The prosecution subsequently offered no evidence and the case was discontinued.

This case demonstrates the importance of promptly reviewing cases charged under the Threshold Test. Delays in applying the Full Code Test and responding to significant developments can result in missed opportunities to take appropriate case-building action and may adversely affect the prospects of a successful prosecution.

Evidential analysis

7.14. CPS guidance is available to support the effective prosecution of stalking or harassment cases. The guidance sets out the key evidential factors prosecutors should consider when making charging decisions in stalking cases.

7.15. During interviews and focus groups, prosecutors expressed awareness of the CPS stalking guidance and told us that they generally found it clear and helpful, particularly in relation to charge selection and assessing the impact of offending on victims.

7.16. When making charging decisions, it is important for prosecutors to identify the legal elements that must be proved and explain what evidence is available to establish each element. This helps to make sure there is enough evidence to support the charge, by linking available evidence to each element of the offence and assessing whether there is a reasonable prospect of conviction.

7.17. A thorough analysis of the evidence should also enable prosecutors to identify reasonable lines of enquiry for the police to pursue in order to strengthen cases. Conversely, it will also mean that weak cases can be weeded out at an early stage, so limited resources can be focused where they are most likely to be effective.

7.18. Despite the clear focus the CPS has put on improving case analysis and strategy, our findings show that there is more to be done. We found that the charging advice considered the legal elements in 203 of 350 cases (58%). In stalking cases, careful analysis of the evidence is vital in order to select the level of charge that adequately reflects the seriousness of the offending and the impact on the victim. We found that improvement is required against this measure.

7.19. Prosecutors often failed to consider potential defences and how they weakened the case or whether they might be overcome. We found that the defendant's account in interview was addressed and a strategy outlined for how to rebut it in 181 out of 345 applicable cases (52.5%). This is an essential element of the prosecution's decision to charge. If likely defence issues are not identified at charge, reasonable lines of enquiry may be missed. Such issues should be addressed early to give victims certainty about whether a prosecution will proceed and to avoid late decisions to drop cases.

Taking a suspect-centric approach

7.20. When CPS prosecutors are advising on a stalking case and considering the evidence, they must take a suspect-centric approach. The CPS's guidance on stalking states:

"An effective strategy in the prosecution of these cases needs to involve scrutiny of the behaviour and actions of the suspect. This approach can:

- help ensure the effective consideration of the overall allegation within the wider context of any association or connection
- inform and support investigators to consider all available evidence, including evidence of any offending of which the victim may be unaware
- lead to the swift and accurate assessment of risk which, in turn, can help to ensure a suitable multi agency approach to increasing the safety of victims and where appropriate access to early intervention or health referral pathways for the suspect".

7.21. Put in simple terms, taking a suspect-centric approach means that prosecutors should shift their focus from asking why the victim is afraid and concentrate on the actions of the suspect before, during and after alleged offending that is causing fear or distress. Before charge, when prosecutors are presented with evidence covering a number of incidents, instead of looking at each incident separately, they need to consider the overall pattern of the suspect's actions and the harm and risk that behaviour is causing.

7.22. Adopting a suspect-centric approach allows prosecutors to:

- understand the circumstances of the alleged offending
- select charges that reflect the full course of conduct and the impact on the victim
- build the strongest case possible to ensure a successful outcome.

7.23. We assessed whether prosecutors applied a suspect-centric approach in line with the guidance through the overall content and focus of the advice given. We assessed that the prosecutor demonstrated the required approach in 276 cases (78.9%). Encouragingly, our findings revealed a more consistent approach than we found in our rape inspection published in 2025, indicating that this approach is continuing to embed across not only rape cases but across magistrates' court and Crown Court cases as well.

7.24. We found good examples of prosecutors taking a robust approach to complex cases. They evaluated the suspect's behaviour as a complete course of conduct rather than considering incidents in isolation and recognised the cumulative impact of the offending on the victim.

Case study

In a domestic abuse case, during the course of the stalking offending, a victim went on a three-day trip with the defendant after he confronted her outside her workplace just as she was about to leave. The victim explained that she felt compelled to allow him to accompany her because of the presence of colleagues and, later, her children.

Viewed in isolation, this incident could have been seen as inconsistent with a stalking allegation. However, the prosecutor correctly considered it in the context of the defendant's wider pattern of fixated and obsessive behaviour and the cumulative impact on the victim.

By focusing on the suspect's conduct rather than the victim's response, the prosecutor recognised that the incident formed part of the course of conduct and, when considered alongside the wider pattern of offending, strengthened rather than undermined the stalking allegation.

7.25. In interviews and focus groups, we heard the suspect-centric approach described in various ways. Legal managers told us that the approach was actively promoted within their Areas and they were confident that prosecutors applied it, even where it was not always clearly articulated in the written review. Some prosecutors understood it to mean focusing on the suspect's behaviour rather than the victim's actions or responses. Others said they applied the approach in practice but did not explicitly refer to it in their reviews.

Selecting the most appropriate charge

7.26. Correct charge selection is fundamental to successfully prosecuting criminal offences. It ensures that the offending is accurately reflected and that the seriousness and impact of the behaviour are recognised. Incorrect charge selection risks underestimating the criminality of the behaviour, restricting available sentencing options and failing to reflect the harm and risk posed to victims.

7.27. *The London stalking review* noted there was limited CPS data available about how many cases submitted by the police as stalking are subsequently charged as harassment or downgraded to the less serious stalking offence. The review referred to concerns, expressed by victims and advocates, that the

seriousness and impact of stalking behaviour was not always reflected in the charges prosecuted.

7.28. During our consultation with the National Stalking Consortium (NSC), third sector groups raised concerns that stalking behaviour is not always correctly identified, which may affect the quality of charges authorised and pursued. We therefore examined stalking cases, harassment cases, breach of restraining order cases and decisions not to charge to assess whether prosecutors were identifying and charging stalking offences, where supported by the evidence.

7.29. Overall, the evidence from our file examination indicates that prosecutors generally selected charges that reflected the available evidence. Our inspectors agreed with the charges authorised by the CPS in 236 of the 308 charged cases (76.6%). We did not find evidence that prosecutors routinely downgraded stalking allegations or preferred harassment charges where the evidence supported stalking.

7.30. There were often differences in the charges proposed by the police and those ultimately authorised by the CPS. The most significant related to 49 cases where the police proposed a charge of stalking contrary to section 4A of the Protection from Harassment Act 1997, but the CPS authorised a different offence.

7.31. Inspectors agreed with the CPS's decision in 32 of those 49 cases (65.3%). In seven of the 17 cases where we did not agree, inspectors assessed that the available evidence supported a charge of section 4A stalking where prosecutors had authorised a section 2A stalking offence.

7.32. Concerns about prosecutors downgrading serious stalking offences are not borne out by our file examination. We found that the CPS generally authorised section 4A stalking charges where the available evidence supported it.

7.33. In interviews and focus groups, prosecutors and managers told us that, sometimes, the police request the more serious section 4A stalking offence when the evidence would better support a summary only section 2A offence. Our file examination identified cases where the police and CPS took different views regarding the most appropriate charge, but our inspectors agreed with the charged authorised by the CPS in almost all the cases we examined.

7.34. During interviews, some prosecutors also expressed the view that investigations were occasionally submitted to the CPS close to the statutory time limit, because further enquiries were being undertaken to determine whether the

evidential threshold for the more serious stalking offences had been met. This inspection did not examine the police investigation stage and was not designed to assess the reasons for the timing of police referrals to the CPS. We did, however, identify cases that were submitted to the CPS at a late stage, limiting the time available for charging decisions and any further enquiries that might be required.

7.35. Timely submission of cases is important. Where a case is referred to the CPS close to, or after, the expiry of the statutory time limit for summary only offences, there is a risk that the CPS will be unable to authorise charge. In some cases in our file sample, the statutory time limit had expired before charge could be authorised, so no prosecution was possible even though there was evidence that could have supported a summary only offence. This can deny victims the opportunity to see offending behaviour addressed through the criminal justice process and can undermine confidence in the system.

7.36. We reviewed 42 cases in which the CPS advised no further action, to determine whether that decision was appropriate.

7.37. In eight of the 42 cases (19%), the police requested a charge of section 4A stalking, but our inspectors considered that the evidence supported a summary only offence of section 2A stalking or section 2 harassment. In each case, the police submitted the charging request after the statutory time limit for prosecuting those offences had expired, including one submission made on the day it expired. Consequently, the CPS had no legal basis on which to prosecute and correctly advised no further action.

7.38. Ten of the 42 cases (23.8%) had been submitted after the statutory time limit had expired, despite enough evidence being available to charge a summary only offence.

7.39. In eight of the 350 cases (2.3%), inspectors took the view that there was enough evidence to charge section 4A stalking. There was not one single clear reason why inspectors reached a different decision about charge selection to the original CPS prosecutor. In some cases, inspectors assessed that stalking should have been charged rather than harassment, while in others harassment or breach of a protective order more accurately reflected the available evidence than the stalking charge authorised by the CPS. We found no evidence that the disparity arose from a widespread tendency by the CPS to undercharge stalking cases.

Case study

In one case, the CPS authorised a charge of section 4A stalking on the Threshold Test, despite there being no evidence to establish the serious alarm or distress element of the offence. The victim's statement contained no evidence of fear of violence or of the impact of the behaviour to support the section 4A charge. Inspectors considered that a section 2A stalking charge was more appropriate, based on the available evidence.

The prosecutor who authorised charge completed an action plan asking the police to obtain evidence outlining the impact the stalking behaviour had had on the victim. However, the police did not complete the actions, and the CPS took no further steps to follow up or escalate the request.

Ultimately, when applying the Full Code Test, at trial, the prosecutor accepted a guilty plea to section 2A stalking.

7.40. We found no evidence that the CPS routinely undercharged stalking offences or favoured harassment charges over stalking offences. We saw several examples where prosecutors charged the more serious section 4A offence when cases had been referred to them for consideration of a lesser stalking charge or a harassment charge.

Case study

Following the breakdown of a relationship, the suspect engaged in a fixated, obsessive, unwanted and repeated course of conduct. This included telling the victim to "watch her back" and caused the victim to change her daily routine. The police asked the CPS to consider charging the summary only stalking offence. The prosecutor correctly assessed the impact of the suspect's behaviour on the victim, who feared for her safety, and instead authorised the more serious offence of stalking involving serious alarm or distress, contrary to section 4A (1) of the Protection from Harassment Act 1997. The defendant pleaded guilty to this offence at the first hearing.

Decisions to take no further action

7.41. Overall, we found that where decisions were made not to charge, prosecutors generally pursued reasonable lines of enquiry and considered relevant aspects of case building. However, we found some cases where important evidence was not properly evaluated.

7.42. Of the 42 cases where the CPS decided to take no further action, 41 decisions were made on evidential grounds and one on public interest grounds. Inspectors agreed with 33 of the 41 evidential decisions. In four cases, we considered that there was sufficient evidence to charge a stalking offence, and

in a further four cases we found that additional reasonable lines of enquiry should have been pursued before a final decision was reached. We also agreed with the single decision not to prosecute on public interest grounds, although it was evidentially weak, and so the decision could have been made on the evidence. In that case, the police proposed a section 4A stalking offence. The case was, in essence, a neighbour dispute, and was referred to the CPS more than two years after the last reported incident had occurred. Neither the suspect nor the alleged victim had any previous convictions, and by the time the file was submitted they were no longer neighbours.

Case study

In one of the NFA cases where further enquiries should have been made, two victims described a clear course of conduct over four consecutive days, involving threatening communications, repeated unwanted contact and attendance at the victims' home. The prosecutor treated the behaviour as a single incident, because messages were not dated and they concluded that the behaviour had occurred on one day. Instead of seeking simple evidential clarification, which may have resulted in additional evidence that would have supported a charge, the prosecutor's advice was to take no further action.

7.43. This was an example of poor case review and ineffective case building, which left the victims without protection and failed to recognise a pattern of escalating behaviour. Prematurely discontinuing the case was a missed opportunity to obtain any further evidence, manage risk and potentially bring the suspect to justice. The decision was inconsistent with the CPS's guidance and case strategy principles, which require prosecutors to build strong cases, identify and address evidential gaps, apply the Code for Crown Prosecutors consistently, and record clear and reasoned decision-making.

Evidence-led prosecutions

7.44. In domestic abuse cases, the CPS's guidance requires prosecutors to consider from the outset whether a case can proceed as an evidence-led prosecution (ELP). These are prosecutions using evidence other than the victim's account, such as 999 calls, body worn video footage and suspect interviews.

7.45. Prosecutors should clearly record in their review whether the case can proceed without the victim's support and identify the evidence to be relied upon. Where no further action is taken, prosecutors should explain why the case cannot proceed as an ELP.

7.46. In our file sample, there were 293 domestic abuse cases where an ELP should have been considered. We found that prosecutors did consider an ELP and recorded a proportionate rationale in 146 of these 293 cases (49.8%). In the

remaining cases, prosecutors either made insufficient reference to whether the case could proceed without the victim or did not address the possibility of an ELP at all.

7.47. In one domestic abuse stalking case, the prosecutor did not consider an ELP at the pre-charge stage or direct the police to pursue available lines of enquiry, despite evidence that included body worn video footage, CCTV, photographs of injuries, and a witness to some of the offending behaviour.

7.48. Interviews and focus groups with prosecutors revealed differing views on when an ELP should be considered in stalking cases. In some CPS Areas, prosecutors considered ELPs to be largely unworkable in such cases because the offending can often span a prolonged period and requires evidence from the victim about the impact of the behaviour. Managers in the same Areas, however, told us they would expect prosecutors to consider and record the viability of an ELP in every case.

7.49. Conversely, elsewhere, prosecutors told us that they routinely considered ELPs at the pre-charge stage, whereas the legal managers would only expect such consideration where a victim had withdrawn support.

7.50. While we agree that stalking cases can present particular challenges for ELPs, the inconsistency in understanding and the disconnect between some prosecutors' and managers' understanding of the CPS's guidance should be addressed.

7.51. Our findings echo those in our follow-up inspection on evidence-led prosecutions, published in October 2025³³. In that inspection, we assessed 112 cases and found that ELP was properly considered:

- before charge in 55 cases (49.1%)
- after charge in 40 out of 70 applicable cases (57.1%).

7.52. We made a new recommendation, which we reiterate here. This approach supports the building of strong cases across all offence types.

³³ *Evidence-led domestic abuse prosecutions — a follow-up inspection*; HMCPsi; October 2025.
hmcpsi.justiceinspectorates.gov.uk/report/evidence-led-domestic-abuse-prosecutions-a-follow-up-inspection/

Recommendation from *Evidence-led domestic abuse prosecutions — a follow-up inspection*

By December 2026 the Crown Prosecution Service is to improve consistency of reviews in relation to the consideration of additional reasonable lines of enquiry and opportunities to strengthen cases in all case types, but in particular in domestic abuse cases so that where appropriate and necessary, domestic abuse cases can proceed without calling the victim to give evidence. By June 2027, the CPS is to have demonstrated improvement through internal assurance.

Instructions to the court prosecutor

7.53. Prosecutors providing pre-charge advice are expected to include clear and appropriate instructions for the court prosecutor, so that the case can be progressed effectively at the first hearing. We assessed whether the charging advice addressed the key issues necessary for progression, including acceptable pleas, ancillary applications to be made, allocation, which witnesses are needed for trial, special measures, Victim Personal Statements, and bail or remand issues where relevant.

7.54. Most charging advices contained appropriate instructions for court prosecutors. We rated 239 of the 308 charging advices (77.6%) as good.

7.55. That means there is room for improvement in the remainder of cases, to make sure instructions are consistently clear and tailored to the circumstances of the case. The quality of instructions provided to court prosecutors can have a direct impact on the victims' experience. Court prosecutors, particularly those dealing with busy court lists, rely on clear and comprehensive pre-charge advice to progress cases effectively at the first hearing. Where instructions are inadequate, important issues may be overlooked, leading to delays, adjournments or missed opportunities to secure special measures or protective orders. These failings can prolong proceedings and increase uncertainty for victims.

7.56. This was reflected in interviews and focus groups, where we were told that good quality instructions can greatly assist advocates in quickly understanding the case and focusing on key issues when preparing heavy court lists.

Action plans and reasonable lines of enquiry

7.57. Where further reasonable lines of enquiry are identified, prosecutors should record them in a prioritised action plan with clear timescales for completion.

7.58. At the pre-charge stage, we found the quality of action plans to be inconsistent. There were 305 cases in our file sample of 350 where an action plan was required. We found that 200 of these 305 cases (65.6%) contained proportionate action plans focused on reasonable lines of enquiry. Of the remaining 105 cases, 21 did not have an action plan at all; the other 84 did have action plans, but they were not proportionate and focused on the reasonable lines of enquiry.

7.59. Performance at the post-charge stage varied significantly between units. While we assessed 76.8% of action plans in Crown Court cases as good, this fell to 58.8% in magistrates' court cases. Improvement is required to make sure action plans are proportionate and focused.

7.60. Common weaknesses included a lack of specific and focused instructions to the officer in the case. Action plans were often generic or vague, particularly in relation to bad character evidence and digital enquiries.

7.61. Where prosecutors provide vague or generic action plans, there is a risk that the police are not given clear enough direction on the enquiries needed to progress the case. This can lead to important evidential opportunities being missed, unnecessary delays, and a failure to build the strongest possible prosecution case. This can prolong uncertainty for victims and may ultimately reduce the likelihood of an outcome which reflects the full impact of the offending on the victim.

7.62. In one example of an inadequate action plan, we saw a general request for bad character material which did not specify the evidence required to support a good quality bad character application. Nor did it direct investigators to obtain evidence of the impact of the conduct on the victim. While some investigative actions were set out within the body of the charging advice, they were not incorporated into the action plan itself. As a result, investigators were not provided with a clear, prioritised and comprehensive record of the enquiries required to progress the case. There was also a risk that important actions could be overlooked because they were not recorded in the appropriate part of the advice form.

Compliance issue

By May 2027, the Crown Prosecution Service should ensure that prosecutors set out reasonable lines of enquiry in proportionate and prioritised action plans with clear timescales in accordance with its standards and expectations.

Applications

7.63. We assessed whether prosecutors considered and pursued appropriate evidential and procedural applications to support the prosecution case. These include requests to admit bad character and hearsay evidence, which require the court's approval. Applications intended to support victims and witnesses were considered separately.

7.64. We found applications relating to bad character and hearsay evidence were not used consistently or effectively to maximise the strength of the prosecution case.

7.65. At pre-charge charge, ancillary applications were adequately considered in 143 of 259 applicable cases (55.2%). In another 61 cases (23.6%), there was some consideration of ancillary applications, while no consideration was evident in the remaining 55 cases (21.2%).

7.66. In many cases, prosecutors failed to identify relevant bad character material or the appropriate statutory gateway³⁴. Consideration was often limited to a superficial 'tick-box' reference, with little or no analysis of the relevance, admissibility, or evidential value of the material.

³⁴ Bad character evidence can only be admitted through one of the statutory gateways in the Criminal Justice Act 2003. Prosecutors should identify the gateway relied upon and obtain evidence capable of supporting the application.

7.67. After charge, performance deteriorated further. Performance was better in Crown Court cases than in the magistrates' court cases we examined.

Cases where:	Crown Court	Magistrates' courts
Ancillary applications should have been considered	58 (100%)	76 (100%)
Ancillary orders should have been considered but were not	11 (19.0%)	15 (19.7%)
Ancillary applications were effectively progressed after charge	33 (56.9%)	25 (32.9%)
Ancillary applications were identified before charge but not progressed after charge	14 (24.1%)	36 (47.4%)
Proportion of appropriate applications progressed:	Just over half	Less than one third

Case progression

Post-charge and post-sending reviews

7.68. Good quality post-charge reviews are important to ensure the effective progression of cases through the criminal justice system. Our file sample showed that Crown Court cases were generally better prepared than magistrates' court cases, but overall we found that the CPS was preparing cases effectively and supporting their progression through the court process.

7.69. We assessed whether the CPS addressed and recorded any outstanding issues after charge to support an effective first hearing. As all cases in our sample involved CPS-authorised charges, a review was only needed before the first hearing where the police submitted material in response to a post-charge action plan. This occurred in 11 magistrates' court cases. In five of those cases (71.4%), the CPS adequately addressed the outstanding issues and recorded a review as required.

7.70. In Crown Court cases, the reviewing lawyer should complete a post-sending review after the magistrates' court sends the case to the Crown Court. The review should address any issues arising since charge, including new material or evidence received, and make sure the case is effectively managed for the Plea and Trial Preparation Hearing (PTPH), which is the first hearing before the Crown Court.

7.71. We assessed 120 Crown Court cases where the prosecutor had conducted a post-sending review. In 82 of these cases (68.3%), the CPS added value by reviewing the case and appropriately addressing outstanding issues.

7.72. While this represents reasonable performance, it means that almost one third of cases progressing to the PTPH were not adequately prepared. This is a matter of concern, as failures to identify and address key issues at an early stage can lead to ineffective hearings, delays and poor case progression, prolonging uncertainty for victims and delaying the delivery of justice.

First hearings and trial readiness

7.73. We assessed the effectiveness of the first hearing by considering whether pleas were entered and, where a not guilty plea was indicated, whether a trial date was fixed.

7.74. The first hearing was effective in 164 of the 182 magistrates' court cases (90.1%), which is strong performance.

7.75. There were 85 cases that went to trial in the magistrates' courts. On the day of trial, the CPS was ready to proceed in 68 (80%) of these cases. In seven of the 17 cases (41.2%) where the CPS was not ready to proceed, there was an adverse impact on the victim.

7.76. In three cases, the CPS offered no evidence. This was the result of a failure to address disclosure properly in two of these cases and, in the third case, a failure to serve a witness summons which had been granted to make sure the victim attended court.

7.77. In another two cases, because of a failure by the CPS to adequately address disclosure, the trial was adjourned for several months, requiring the victim to attend court on a second occasion. These disclosure failures prolonged the proceedings and extended the period of uncertainty for the victims, who continued to face the prospect of giving evidence at a future hearing. In one case, the victim disengaged from the process, and in the other, the CPS accepted a guilty plea to a lesser offence.

7.78. At the Crown Court, of the 124 cases that had a PTPH, 94 (75.8%) were progressed effectively at that hearing. We assessed 23 cases that proceeded to trial in the Crown Court; in 21 of these cases (91.3%) the CPS was ready to proceed.

7.79. Taking these findings together, this presents a mixed picture of case preparation in the Crown Court. Although cases were generally progressed effectively at PTPH and trial, weaknesses in post-sending reviews meant that early case preparation was not consistent. Work has to be done later to grip cases to make sure they are ready for trial.

Significant event reviews

7.80. Prosecutors are under a duty to keep their cases under review, as events often occur through the life of a case which have a material impact and can require a major change in case strategy. These are known as significant events.

7.81. When a significant event happens, the reviewing lawyer should carry out a review and apply the Code for Crown Prosecutors to decide whether there remains a realistic prospect of conviction and whether it is still in the public interest to prosecute.

7.82. There were 154 cases in our file sample where significant events called for a review. Although reviews were carried out in most cases, the quality of those reviews was often not of an adequate standard.

7.83. A review was completed in 124 of the 154 applicable cases (80.5%), and 89 of those 124 reviews were of an adequate standard (71.8%). We assessed the other 35 reviews as inadequate. In the other 30 applicable cases, there was no review, when there should have been.

7.84. Inadequate reviews can result in poor case preparation, failures to comply with disclosure obligations, delays and ineffective trial outcomes. In one case, a defendant entered mixed pleas, which should have triggered a review, but none was undertaken. As a result, the court advocate had to seek time at a subsequent hearing to review the case, delaying proceedings and placing additional pressure on a prosecutor managing a busy court list.

Acceptance of pleas

7.85. There may be occasions when a defendant accepts that they are guilty of the offence charged but does not accept the full extent of the prosecution allegation. When the defendant indicates a plea on a specific basis, it should be put into written form, making it clear what is accepted and what is disputed, so that the prosecutor can carefully consider it and decide whether it adequately reflects the offending behaviour.

7.86. Bases of plea were not a significant feature in our file sample. There were nine magistrates' court cases where the defence offered to plead on a basis. In three of these cases, the basis was in a clearly understandable written

form. In our Crown Court sample, performance was slightly better, with seven out of 15 bases of plea offered being clearly written down.

7.87. The absence of a clear written basis of plea can create uncertainty about which facts are accepted. This in turn risks a failure to fully reflect the seriousness of the offending and the impact on the victim and may have an adverse outcome on sentence.

7.88. Inspectors identified eight cases where the written basis of plea did not adequately reflect the victim's experience or the offending behaviour. In five of these cases, prosecutors appropriately rejected the basis of plea. In another case, a basis of plea was accepted which resulted in a guilty plea to a section 2A stalking offence rather than the section 4A offence originally charged, following the victim's retraction. One case remained live and the written basis had not yet been considered at the time of our review.

7.89. In the remaining case, the defendant was charged with section 2 harassment and two breaches of a restraining order. The defence submitted a basis of plea to the breaches which relied on the victim's alleged agreement to the contact, an argument that was legally irrelevant. Although the prosecutor initially rejected the basis of plea, it was later accepted following the victim's withdrawal. We considered that the prosecutor should have assessed whether there was sufficient alternative evidence to proceed and whether it was proportionate to summon the victim to attend court.

7.90. In some cases it may be appropriate for the prosecution to accept pleas to alternative or lesser charges. There were relatively few instances in our file sample where alternative pleas were accepted.

7.91. Despite the small numbers, performance was mixed. In the magistrates' court cases in our file sample, defendants offered pleas to alternative charges in 91 cases, of which the CPS accepted 20 (22%). We found that 12 of the accepted pleas (60.0%) were in accordance with CPS guidance, which requires that, when considering pleas to lesser or alternative offences, prosecutors must make sure any plea properly reflects the overall offending, its impact on the victim and the available evidence. Prosecutors should not accept such pleas for reasons of expediency and must allow the court to impose an appropriate sentence and any necessary protective orders.

7.92. In the Crown Court cases, there were 51 offers of pleas to alternative charges, of which the CPS accepted 27 (52.9%). We found that 17 of the 27 accepted pleas (66.7%) were in accordance with CPS guidance.

7.93. We saw examples of good decision-making, where it was clear that prosecutors had properly considered the evidence in accordance with guidance. But there were other cases where pleas had been accepted without any rationale to explain how the evidential position had changed or why the original charge could no longer be sustained.

7.94. In the absence of a recorded rationale, it is difficult to demonstrate that the plea appropriately reflected the seriousness of the offending and properly took account of the interests of victims and the wider public interest. This is important on both a strategic and operational level. Without a recorded rationale, the CPS will find it challenging to deal effectively with any complaints it may receive from victims who are unhappy with the outcome of a case, impacting public confidence.

7.95. One case we reviewed involved threats by the defendant, repeated unwanted contact, contact with the victim's friends, and following the victim in a car. Although the CPS had correctly authorised a charge of stalking contrary to section 2A of the Protection from Harassment Act 1997, a plea to an offence of section 2 harassment was accepted at the first hearing without any recorded rationale for the decision.

Discontinued cases

7.96. The CPS discontinued 32 of the cases in our sample. We assessed 27 of those decisions (84.4%) as reasonable, indicating generally sound legal judgement and decision-making. Discontinuance resulted from post-charge developments that could not reasonably have been anticipated at the point charge was authorised.

7.97. However, given the significant impact that discontinuing a stalking prosecution can have on victims' safety, confidence and access to justice, it is important that prosecutors consistently consider all available lines of enquiry, the wider context of the offending, and opportunities to progress cases using independent evidence where appropriate.

7.98. In one stalking case involving a course of conduct over five months, the defence served late evidence showing periods of mutual contact between the parties. While the new material appeared to be undermining, it required more assessment and explanation. No enquiries were made with the officer in the case, and no steps were taken to strengthen the prosecution case. The prosecutor did not consider the wider pattern of unwanted and distressing behaviour when the victim was unwilling to engage with the suspect, resulting in the overall pattern of stalking conduct being overlooked.

7.99. In a domestic abuse case involving a breach of a restraining order, proceedings were discontinued after the victim withdrew support. However, the breach had been witnessed by police officers who attended the victim's address and found the defendant present despite being prohibited from contacting her. The prosecutor did not adequately consider the history of domestic abuse, the protective purpose of the restraining order, or whether the matter could proceed as an evidence led prosecution .

7.100. Incorrect decisions to discontinue cases can leave risks unaddressed, reduce victims' confidence in the criminal justice system, and undermine the protection and accountability that stalking victims need.

Effective case building

7.101. We considered the CPS's actions and decisions throughout the life of each case, from the initial charging review through to conclusion (where cases had been finalised), or to the stage reached at the time of our file examination (for those that remained ongoing). Our considerations included whether legal and evidential issues were identified and addressed, reviews added value, victims were appropriately supported, and the case was effectively prepared for trial.

7.102. Effective case building was demonstrated where the CPS took proactive steps to strengthen and progress the case. It was not demonstrated where important issues were missed, evidential gaps remained unresolved, reviews were superficial, or victims' needs were not adequately addressed.

7.103. We assessed that the CPS added real value and demonstrated effective case building in 188 of the 311 cases where this was an appropriate consideration (60.5%). While there were examples of good practice, the findings indicate scope for further improvement.

7.104. We saw one case where the CPS demonstrated effective case building by selecting charges that reflected the available evidence, actively pursuing outstanding issues related to the Victim Personal Statement and restraining order, and preparing the case properly for court. The defendant entered guilty pleas at the first opportunity and the CPS successfully applied for a two-year restraining order containing appropriate protective conditions.

7.105. In another case, poor case building and preparation had a significant impact on the victim. The charging advice was unclear about the case strategy; reviews lacked any meaningful analysis, and there was confusion throughout the case regarding the appropriate charges and prosecution strategy. The victim was incorrectly informed that the defendant had pleaded guilty and there was no evidence of meaningful engagement or support thereafter. No Victim Personal

Statement was obtained, special measures were not considered despite information being available on the case file, and the victim's mental health needs were not adequately addressed.

7.106. Unsurprisingly, the victim and her witness did not attend the trial, and the CPS offered no evidence. The case illustrates how poor case preparation and ineffective victim engagement can undermine both victims' confidence and the prospects of a successful prosecution.

Training and quality assurance

7.107. Taken collectively, the CPS's assurance mechanisms, training, and stalking leads demonstrate a growing commitment to improving stalking prosecutions, but they do not yet operate as a coherent framework capable of driving consistent casework quality improvement across the organisation.

7.108. While Areas have a range of assurance processes in place, including case strategy assessments, case management panels and scrutiny panels, these mechanisms largely identify issues in specific cases rather than systematically embedding learning or measuring improvement in stalking casework.

7.109. Stalking leads are central to many of these improvement activities. Across Areas, leads described involvement in partnership forums, scrutiny panels, joint operational improvement meetings and learning events with police and third sector organisations. They act as advocates for better recognition of stalking, promote discussion of complex cases and help disseminate national developments locally.

7.110. The national stalking lead has sought to strengthen this network by encouraging greater collaboration between Area leads, promoting a 'stalking-first' approach to casework and supporting initiatives designed to improve awareness of stalking dynamics and victims' experiences.

7.111. However, the stalking lead role remains largely dependent on personal commitment rather than formal structures. Several stalking leads reported having limited time to undertake the role alongside broader domestic abuse responsibilities, little clarity about what was expected of them, and no specific accountability for improving stalking outcomes.

7.112. We therefore welcome the commitment in the CPS's *Stalking action plan 2026–2030* to develop induction material for newly appointed Area stalking leads, including an updated role descriptor. This is a positive step forward, providing greater clarity and support for the role. Clarity around the role,

responsibilities and expectations of Area stalking leads will help to drive consistent improvement in casework quality.

7.113. Although many Areas undertake quality assurance activity that includes stalking cases, stalking is rarely examined as a distinct category of offending. Instead, it is generally subsumed within wider domestic abuse scrutiny and performance frameworks. As a result, Areas can often demonstrate that they have mechanisms to identify casework issues, but they cannot readily show how learning from those mechanisms is captured, disseminated and translated into improved practice.

7.114. Evidence from several Areas showed recurring concerns about charge selection, recognition of stalking behaviours, consideration of Stalking Protection Orders (SPOs), evidence of impact on victims and case strategy, reflecting the issues we have identified within this inspection — but we found limited evidence that assurance processes were systematically tracking these themes or assessing whether remedial action had been effective.

7.115. The inspection also found a clear relationship between these assurance gaps and weaknesses in training. Prosecutors across multiple Areas reported receiving little or no recent stalking-specific training and we found virtually no evidence of any impact or learning outcomes from other assurance and engagement mechanisms.

7.116. Although guidance was generally regarded as comprehensive and accessible, prosecutors demonstrated varied understanding of stalking legislation, ancillary orders and stalking-specific case-building principles. Knowledge of SPOs was particularly limited and inspection file reads found widespread failures to address them appropriately. Several interviewees regarded current learning arrangements as overly reliant on informal support, mentoring and cascading information rather than structured operational training.

7.117. These issues have been identified by both the national stalking lead and several Area stalking leads. The national lead has promoted awareness of stalking as a pattern of behaviour rather than a series of isolated incidents and has sought to improve understanding of concepts such as fixation, escalation and victim impact. Area leads in Wessex were developing a stalking training pilot intended to improve prosecutors' capability and promote more consistent decision-making.

7.118. These initiatives demonstrate leadership and a clear appetite to improve. However, at the time of inspection, training was at an early stage of development, further development and roll out was not yet certain, and there was no assessment of whether learning was improving casework quality.

Conclusion

7.119. We found a mixed picture regarding the quality of the CPS's casework in stalking cases.

7.120. Prosecutors generally applied the correct Code test, adopted a suspect-centric approach and selected charges that reflected the available evidence. We found no evidence that prosecutors routinely downgraded stalking allegations or favoured harassment charges where the evidence supported stalking. Cases were also generally progressed effectively at first hearings and were usually ready to proceed when they reached trial. This was particularly the case in the Crown Court, where the CPS was ready to proceed in almost all cases.

7.121. Although prosecutors and managers generally regarded the CPS's stalking guidance as clear and accessible, our file examination identified inconsistencies in the way key aspects of the guidance were applied, particularly in relation to evidential analysis, evidence-led prosecutions, articulating the legal elements of offences and effective case building. This suggests a gap between knowledge and practice.

7.122. We concluded that the principal challenge is not the availability of guidance, but rather its consistent application and embedding across CPS Areas.

7.123. One of the measures contained in the CPS's *Stalking action plan 2026–2030* is the planned revision of the guidance. We welcome this development, which has the potential to provide greater clarity for prosecutors and encourage more consistent decision-making. The CPS must also make sure that training, quality assurance arrangements and the work of Area stalking leads all operate together so that the guidance translates into consistently high-quality casework.

7.124. While the CPS has established many of the building blocks necessary to improve stalking prosecutions, including dedicated stalking leads, quality assurance processes and developing training initiatives, these elements are not yet sufficiently connected or defined to have a lasting and consistent impact on improving casework. Assurance activity identifies weaknesses but does not consistently drive organisational learning; training remains uneven and lacks systematic evaluation; and stalking leads often lack the capacity, authority and performance information needed to drive sustained improvement.

7.125. Consequently, while there is clear commitment at both national and local levels, the CPS cannot yet demonstrate that its assurance mechanisms, training and stalking lead network are operating together effectively to improve the quality and consistency of stalking casework.

Annex A

Inspection framework

Inspection question

How effective is the Crown Prosecution Service (CPS) in charging, building and prosecuting strong cases that support and protect victims of stalking?

Objectives

The inspection sought to:

- assess the overall service provided to victims of stalking
- assess the CPS strategy for prosecuting stalking or harassment cases
- assess the quality of legal decision-making, case progression and case management, including whether prosecutors are equipped to deliver effective outcomes using CPS policy and guidance.

Inspection criteria

1. File submission

- Does the police file submission comply with the National File Standard for the type of case?
- Are the correct stalking offences identified by the police as the most appropriate potential charges?

2. Legal decision-making

- Is there consistency between the charges proposed by the police and those authorised by the CPS?
- Does the CPS select the correct charges, supported by the evidence, in cases of stalking, harassment and breach of protective orders?
- Does the CPS apply relevant guidance correctly when making decisions?
- Does the CPS take a suspect-centric approach and consider the overall impact of the suspect's conduct on the victim?
- Are appropriate evidential applications, including bad character and hearsay, used to strengthen and support cases?
- Where a decision is made not to charge, has the CPS pursued all reasonable lines of enquiry and other relevant aspects of case building?

How well the CPS builds strong cases that support and protect victims of stalking

- Where significant developments affect the case strategy, does the CPS conduct an effective review and make decisions in accordance with the Attorney General's Guidelines and the Code for Crown Prosecutors?
3. Case progression
- Does the CPS effectively and efficiently progress stalking cases before and after charge?
4. Victims and witnesses
- Does the CPS consider measures to support victims at court and enable them to give their best evidence?
 - Does the CPS consider Witness Care Unit communications promptly and take any necessary action to support victims and witnesses?
 - Does the CPS make appropriate applications in respect of bail and protective orders to protect victims?
 - Does the CPS communicate with victims at appropriate stages and in an accessible way?
 - Where a decision is made not to charge, does the CPS provide adequate information to the police to enable the victim to exercise the Victims' Right to Review?
 - Does the CPS comply with its responsibilities under the Victims' Code in relation to Victim Personal Statements, Victim Communication and Liaison scheme letters, and the Speaking to Witnesses at Court Protocol?
5. Court services
- Was the court able to support the victim through appropriate facilities, including live link and pre-trial visits?
 - Does the Witness Care Unit liaise with the court before trial to ensure that available support is used?
6. Partnership working
- Does the CPS work effectively with criminal justice partners at a strategic level to identify and resolve barriers to effective casework, build evidentially strong cases and improve victims' experience?

- Does the CPS engage effectively with third sector organisations at local and national levels to inform stalking policy and guidance and support continuous learning?

7. Quality assurance and training

- Does the CPS provide adequate training and legal guidance to enable prosecutors to prosecute stalking cases effectively?
- What assurance activity does the CPS undertake within Areas and nationally to identify and promote good or best practice?

Evidence sources

The inspection drew on the following principal sources of evidence:

- examination of 350 prosecution files drawn from all 14 CPS Areas
- interviews and focus groups with CPS staff nationally and in selected CPS Areas
- engagement with the National Stalking Consortium and other stakeholders
- review of relevant CPS documents, training material and assurance information
- analysis of CPS data and performance information
- on-site fieldwork in selected CPS Areas.

Annex B

File examination data

How well the CPS builds strong cases that support and protect victims of stalking

Question	Answers	Results	
Questions 1–26 related to all cases we examined			
01. Was the risk assessment provided to CPS to inform decision making?	Yes	242	69.1%
	No	106	30.3%
	NA	2	0.6%
	Total	350	100%
02. If ‘no’ to Q1 did the CPS feedback to the police by requesting the risk assessment?	Yes – at triage	17	4.9%
	Yes – following prosecutor review	2	0.6%
	No	82	23.4%
	NA	249	71.1%
	Total	350	100%
03. Did the file submission include a VPS or a communication from the police explaining why there was no VPS?	Yes – VPS on file	91	26.0%
	Yes – MG6 or other comms with explanation	79	22.6%
	No	173	49.4%
	NA	7	2.0%
	Total	350	100%
04. If ‘no’ to Q3 did the CPS request a VPS?	Yes – at triage	1	0.3%
	Yes – following prosecutor review	116	33.1%
	No	45	12.9%
	NA ³⁵	188	53.7%
	Total	350	100%
05. Which Code test did the prosecutor apply at the pre-charge stage?	Full Code Test	170	48.6%
	Threshold Test	180	51.4%
	Total	350	100%
06. Was this the most appropriate Code test in the circumstances	Yes	316	90.3%
	No	34	9.7%
	Total	350	100%
07. If the Threshold Test was applied at charge, was the Full Code Test subsequently applied as soon as reasonably practicable?	Yes	110	31.4%
	No	55	15.7%
	NA	185	52.9%
	Total	350	100%
08. Did the charging advice set out the legal elements of the offence charged?	Yes	203	58.0%
	No	147	42.0%
	Total	350	100%

³⁵ 10 of those marked as not applicable were cases where the CPS decided to take no further action. The remaining cases were charged cases where it was not appropriate to seek a VPS in the circumstances of the case.

How well the CPS builds strong cases that support and protect victims of stalking

Question	Answers	Results	
09. Did the charging advice address any issues concerning admissibility of evidence?	Yes	100	28.6%
	No	53	15.1%
	NA	197	56.3%
	Total	350	100%
10. Did the prosecutor consider and appropriately demonstrate an understanding of whether the evidence was reliable and credible?	Yes	236	67.4%
	No	114	32.6%
	Total	350	100%
11. Did the advice consider the defendant's account in interview and the impact of any potential defence on the case?	Yes	181	51.7%
	No	164	46.9%
	NA	5	1.4%
	Total	350	100%
12. Did the charging advice include an adequate assessment of unused material?	Yes	231	66.0%
	No	88	25.1%
	NA	31	8.9%
	Total	350	100%
13. Did the charging advice properly consider whether the case could proceed without the victim, as an evidence-led prosecution?	Yes	146	41.7%
	No	147	42.0%
	NA	57	16.3%
	Total	350	100%
14. Did the prosecutor demonstrate a suspect-centric approach in the charging advice?	Yes	276	78.9%
	No	74	21.1%
	Total	350	100%
15. Was the public interest stage proportionately considered?	Yes	263	75.1%
	No	46	13.1%
	NA	41	11.7%
	Total	350	100%
16. The charging advice referred to all relevant applications (including bad character) and ancillary matters in order to strengthen the case.	Yes	143	40.9%
	No – no consideration of relevant applications	55	15.7%
	No – some consideration of relevant applications but insufficient detail provided	61	17.4%
	NA	91	26.0%
	Total	350	100%
17. The charging advice actively considered relevant applications for special measures to support victims and witnesses in the event of a trial.	Yes	225	64.3%
	No	67	19.1%
	NA	58	16.6%
	Total	350	100%

How well the CPS builds strong cases that support and protect victims of stalking

Question	Answers	Results	
18. The charging advice considered what orders would be most appropriate at sentence.	Yes	245	70.0%
	No	56	16.0%
	NA	49	14.0%
	Total	350	100%
19. The charging advice actively considered the suspect's bail status and the approach to be taken post-charge to bail and/or custody for the suspect, considering protection of the victim and the wider public.	Yes	262	74.9%
	No	46	13.1%
	NA	42	12.0%
	Total	350	100%
20. Did the charging advice provide appropriate instructions and guidance to the court prosecutor?	Yes	239	68.3%
	No	69	19.7%
	NA	42	12.0%
	Total	350	100%
21. Was the action plan proportionate, and focused on reasonable lines of enquiry?	Yes	200	57.1%
	No	105	30.0%
	NA	45	12.9%
	Total	350	100%
22. The action plan contained realistic timescales.	Yes	213	60.9%
	No	71	20.3%
	NA	66	18.9%
	Total	350	100%

How well the CPS builds strong cases that support and protect victims of stalking

Question	Answers	Results	
23. What were the police-proposed charges?	Stalking s2A	37	10.6%
	Racially or religiously aggravated stalking s32(1)(a) Crime and Disorder Act 1998	0	0%
	Stalking s4A (fear)	110	31.4%
	Stalking s4A (substantial adverse effect)	72	20.6%
	Racially or religiously aggravated stalking s32 (1)(b) Crime and Disorder Act 1998	0	0%
	Harassment s2	43	12.3%
	Racially or religiously aggravated harassment s32(1)(a) Crime and Disorder Act 1998	1	0.3%
	Harassment s4	30	8.6%
	Racially or religiously aggravated harassment s32 (1)(b) Crime and Disorder Act 1998	0	0%
	Breach of protective order	40	11.4%
	Other	17	4.9%
	Total	350	100%

How well the CPS builds strong cases that support and protect victims of stalking

Question	Answers	Results	
24. What charge was authorised by CPS (if any)?	Stalking s2A	57	16.3%
	Racially or religiously aggravated stalking s32(1)(a) Crime and Disorder Act 1998	0	0%
	Stalking s4A (fear)	50	14.3%
	Stalking s4A (substantial adverse effect)	89	25.4%
	Racially or religiously aggravated stalking s32 (1)(b) Crime and Disorder Act 1998	0	0%
	Harassment s2	49	14.0%
	Racially or religiously aggravated harassment s32(1)(a) Crime and Disorder Act 1998	3	0.9%
	Harassment s4	24	6.9%
	Racially or religiously aggravated harassment s32 (1)(b) Crime and Disorder Act 1998	0	0%
	Breach of protective order	36	10.3%
	Other	0	0%
	NA	42	12.0%
	Total	350	100%
25. The charges authorised were the most appropriate on the evidence available to the prosecutor at the time.	Yes	236	67.4%
	No	72	20.6%
	NA	42	12.0%
	Total	350	100%

How well the CPS builds strong cases that support and protect victims of stalking

Question	Answers	Results	
26. If 'no' to 25, what was the most appropriate charge?	Stalking s2A	18	5.1%
	Racially or religiously aggravated stalking s32(1)(a) Crime and Disorder Act 1998	1	0.3%
	Stalking s4A (fear)	7	2.0%
	Stalking s4A (substantial adverse effect)	9	2.6%
	Racially or religiously aggravated stalking s32 (1)(b) Crime and Disorder Act 1998	1	0.3%
	Harassment s2	13	3.7%
	Racially or religiously aggravated harassment s32(1)(a) Crime and Disorder Act 1998	0	0%
	Harassment s4	10	2.9%
	Racially or religiously aggravated harassment s32 (1)(b) Crime and Disorder Act 1998	0	0%
	Breach of protective order	4	1.1%
	Other	8	2.3%
	NA	279	79.7%
	Total	350	100%

Questions 27–29 related to cases where the decision was made at pre-charge to take no further action (NFA)

27. The decision to NFA was the most appropriate on the evidence and other material available to the prosecutor at the time.	Yes	33	9.4%
	No – evidence	4	1.1%
	No – RLOI	4	1.1%
	NA	309	88.3%
	Total	350	100%
28. The decision to NFA was appropriate following the application of the public interest test.	Yes	1	0.3%
	No	0	0%
	NA	349	99.7%
	Total	350	100%

How well the CPS builds strong cases that support and protect victims of stalking

Question	Answers	Results	
29. If the answer to Q27 or Q28 is 'no' and the case should have been charged, what was the most appropriate offence from the evidence available?	Stalking s2A	4	1.1%
	Racially or religiously aggravated stalking s32(1)(a) Crime and Disorder Act 1998	0	0%
	Stalking s4A (fear)	0	0%
	Stalking s4A (substantial adverse effect)	2	0.6%
	Racially or religiously aggravated stalking s32 (1)(b) Crime and Disorder Act 1998	0	0%
	Harassment s2	1	0.3%
	Racially or religiously aggravated harassment s32(1)(a) Crime and Disorder Act 1998	0	0%
	Harassment s4	0	0%
	Racially or religiously aggravated harassment s32 (1)(b) Crime and Disorder Act 1998	0	0%
	Breach of protective order	0	0%
	Other	1	0.3%
	NA	342	97.7%
	Total	350	100%
Questions 30–47 related to magistrates' court cases only			
30. Did the CPS address any outstanding issues after charge to ensure an effective first hearing could take place?	Yes – victim and witness issues addressed	4	1.1%
	Yes – other issues addressed	3	0.9%
	No – victim and witness issues not addressed	1	0.3%
	No – other issues not addressed	3	0.9%
	NA – Crown Court case	126	36.0%
	No further action	42	12.0%
	NA to this magistrates' court case	171	48.9%
	Total	350	100%

How well the CPS builds strong cases that support and protect victims of stalking

Question	Answers	Results	
31. If 'yes', was a review completed?	Yes	5	1.4%
	No	0	0%
	No – not required OD completed action	2	0.6%
	NA – Crown Court case	126	36.0%
	No further action	42	12.0%
	NA – 'no' to Q30	175	50.0%
	Total	350	100%
32. Was the case effectively progressed at first hearing?	Yes	164	46.9%
	No – defendant DNA	1	0.3%
	No – defence adjournment request granted	2	0.6%
	No – prosecution adjournment request granted	2	0.6%
	No	13	3.7%
	NA – Crown Court case	126	36.0%
	No further action	42	12.0%
	NA to this magistrates' court case	0	0%
	Total	350	100%
33. Any reviews addressing significant developments which represent a major change in case strategy were of an adequate quality and dealt appropriately with the significant development(s) in the case.	Yes – victim related event review	10	2.9%
	Yes – non-victim related event review	22	6.3%
	Yes – mixed victim and non-victim related event	9	2.6%
	No – no review on CMS	13	3.7%
	No – insufficient review on CMS	18	5.1%
	NA – Crown Court case	126	36.0%
	No further action	42	12.0%
	NA to this magistrates' court case	110	31.4%
	Total	350	100%
34. Where there was a post-charge review, did it include appropriate instructions and guidance to the court prosecutor?	Yes	73	20.9%
	No	31	8.9%
	NA – Crown Court case	126	36.0%
	No further action	42	12.0%
	NA to this magistrates' court case	78	22.3%
	Total	350	100%

How well the CPS builds strong cases that support and protect victims of stalking

Question	Answers	Results	
35. Were ancillary applications such as bad character and hearsay used to strengthen and support cases?	Yes	25	7.1%
	No – not considered	15	4.3%
	No – not made when identified in the PCD	36	10.3%
	NA – Crown Court case	126	36.0%
	No further action	42	12.0%
	NA to this magistrates' court case	106	30.3%
	Total	350	100%
36. If there was a basis of plea, was it clear, reduced to writing and did it accurately reflect the offending behaviour and its impact upon the victim?	Yes	3	0.9%
	No – no written basis where there should have been	1	0.3%
	No – written basis unclear	1	0.3%
	No – written basis failed to reflect victim's experience or overall pattern of offending behaviour	4	1.1%
	NA – no basis put forward in the case	142	40.6%
	NA – Crown Court case	126	36.0%
	No further action	42	12.0%
	NA to this magistrates' court case	31	8.9%
	Total	350	100%
37. Did the CPS accept alternative or lesser pleas?	Yes	20	5.7%
	No	71	20.3%
	NA – Crown Court case	126	36.0%
	No further action	42	12.0%
	NA to this magistrates' court case	91	26.0%
	Total	350	100%

How well the CPS builds strong cases that support and protect victims of stalking

Question	Answers	Results	
38. What pleas were accepted?	s2A stalking reduced to s2 harassment	4	1.1%
	s2A stalking reduced to other	1	0.3%
	s4A stalking reduced to s2 harassment	4	1.1%
	s4A stalking reduced to s2A stalking	5	1.4%
	s4A stalking reduced to other	1	0.3%
	s4A stalking reduced to s4 harassment	0	0%
	Other offence reduced	5	1.4%
	NA – Crown Court case	126	36.0%
	No further action	42	12.0%
	NA to this magistrates' court case	162	46.3%
	Total	350	100%
39. Was the decision to accept pleas to alternative offences in accordance with CPS guidance?	Yes	12	3.4%
	No	8	2.3%
	NA – Crown Court case	126	36.0%
	No further action	42	12.0%
	NA to this magistrates' court case	162	46.3%
	Total	350	100%
40. If the answer to Q39 is 'no' was the decision to accept the plea to the alternative or lesser offence or to accept the basis of plea properly justified and reasonable in light of the evidence available and the impact of the offending behaviour on the victim?	Yes	0	0%
	No	8	100%
	Total	8	100%
41. Did the CPS discuss the acceptability of pleas with the victim or victim's family?	Yes	10	2.9%
	No	13	3.7%
	NA – Crown Court case	126	36.0%
	No further action	42	12.0%
	NA to this magistrates' court case	159	45.4%
	Total	350	100%

How well the CPS builds strong cases that support and protect victims of stalking

Question	Answers	Results	
42. If the case was discontinued, was the decision to discontinue reasonable based on the evidence, including the full nature of the alleged offending and the impact upon the victim?	Yes	16	4.6%
	No	1	0.3%
	NA – Crown Court case	126	36.0%
	No further action	42	12.0%
	NA to this magistrates' court case	165	47.1%
	Total	350	100%
43. Were any post-charge action plans proportionate, and focused on reasonable lines of enquiry?	Yes	77	22.0%
	No – no action plan where there should have been	10	2.9%
	No – key actions missing	19	5.4%
	No – unnecessary requests	10	2.9%
	No – insufficient escalation of pre-charge action plan	15	4.3%
	NA – Crown Court case	126	36.0%
	No further action	42	12.0%
	NA to this magistrates' court case	51	14.6%
	Total	350	100%
44. Did post-charge action plans contain realistic timescales?	Yes	105	30.0%
	No	15	4.3%
	NA – Crown Court case	126	36.0%
	No further action	42	12.0%
	NA to this magistrates' court case	62	17.7%
	Total	350	100%
45. On the trial date was the CPS ready to proceed?	Yes	68	19.4%
	No	17	4.9%
	NA – Crown Court case	126	36.0%
	No further action	42	12.0%
	NA to this magistrates' court case	97	27.7%
	Total	350	100%
46. If the answer to Q45 is 'no' did this have an adverse impact on the victim?	Yes	7	41.2%
	No	10	58.8%
	Total	17	100%

How well the CPS builds strong cases that support and protect victims of stalking

Question	Answers	Results
47. How did the case conclude?	Guilty plea to all charges	87 24.9%
	Guilty plea to some charges	16 4.6%
	Guilty plea to lesser/alternative charges	18 5.1%
	Convicted after trial	21 6.0%
	Acquitted after trial	2 0.6%
	No case to answer	0 0%
	No evidence offered	16 4.6%
	Case discontinued	3 0.9%
	NA – Crown Court case	126 36.0%
	No further action	42 12.0%
	NA to this magistrates' court case	19 5.4%
	Total	350 100%

Questions 48–64 related to Crown Court cases only

48. Did the prosecutor complete a proportionate post-sending review properly addressing post-charge developments?	Yes	82 23.4%
	No – no value added	15 4.3%
	No – Limited value added	21 6.0%
	No – No review done	2 0.6%
	NA – magistrates' court case	182 52.0%
	No further action	42 12.0%
	NA to this Crown Court case	6 1.7%
	Total	350 100%
49. Was the case effectively progressed at PTPH?	Yes	94 26.9%
	No – trial date not fixed	0 0%
	No – defendant not arraigned	19 5.4%
	No – no evidence of identification of issues for trial	0 0%
	No – other defendant did not attend	3 0.9%
	No – other	8 2.3%
	NA – magistrates' court case	182 52.0%
	No further action	42 12.0%
	NA to this Crown Court case	2 0.6%
	Total	350 100%

How well the CPS builds strong cases that support and protect victims of stalking

Question	Answers	Results	
50. Did the CPS complete a proportionate upgrade file review?	Yes	47	13.4%
	No – insufficient review on CMS	16	4.6%
	No – no review on CMS when required	23	6.6%
	NA – magistrates' court case	182	52.0%
	No further action	42	12.0%
	NA to this Crown Court case	40	11.4%
	Total	350	100%
51. Were ancillary applications such as bad character and hearsay used to strengthen and support cases?	Yes	33	9.4%
	No – not considered	11	3.1%
	No – not made when identified in the PCD	14	4.0%
	NA – magistrates' court case	182	52.0%
	No further action	42	12.0%
	NA to this Crown Court case	68	19.4%
	Total	350	100%
52. Any reviews addressing significant developments which represent a major change in case strategy were of proportionate quality and dealt appropriately with the significant development(s) in the case.	Yes – victim related event review	21	6.0%
	Yes – non-victim related event review	23	6.6%
	Yes – mixed victim and non-victim related event	4	1.1%
	No – no review on CMS	17	4.9%
	No – insufficient review on CMS	17	4.9%
	NA – magistrates' court case	182	52.0%
	No further action	42	12.0%
	NA to this Crown Court case	44	12.6%
	Total	350	100%

How well the CPS builds strong cases that support and protect victims of stalking

Question	Answers	Results	
53. If there was a basis of plea, was it clear, reduced to writing and did it accurately reflect the offending behaviour and its impact upon the victim?	Yes	7	2.0%
	No – no written basis where there should have been	3	0.9%
	No – written basis unclear	2	0.6%
	No – written basis failed to reflect victim's experience or overall pattern of offending behaviour	3	0.9%
	NA – no basis put forward in the case	84	24.0%
	NA – magistrates' court case	182	52.0%
	No further action	42	12.0%
	NA to this Crown Court case	27	7.7%
	Total	350	100%
54. Did the CPS accept alternative or lesser pleas?	Yes	27	7.7%
	No	24	6.9%
	NA – magistrates' court case	182	52.0%
	No further action	42	12.0%
	NA to this Crown Court case	75	21.4%
	Total	350	100%
55. What pleas were accepted?	s2A stalking reduced to s2 harassment	0	0%
	s2A stalking reduced to other	0	0%
	s4A stalking reduced to s2 harassment	13	3.7%
	s4A stalking reduced to s2A stalking	5	1.4%
	s4A stalking reduced to other	2	0.6%
	s4A stalking reduced to s4 harassment	1	0.3%
	Other offence reduced	6	1.7%
	NA – magistrates' court case	182	52.0%
	No further action	42	12.0%
	NA to this Crown Court case	99	28.3%
	Total	350	100%

How well the CPS builds strong cases that support and protect victims of stalking

Question	Answers	Results	
56. Was the decision to accept pleas to alternative offences in accordance with CPS guidance?	Yes	17	4.9%
	No	10	2.9%
	NA – magistrates' court case	182	52.0%
	No further action	42	12.0%
	NA to this Crown Court case	99	28.3%
	Total	350	100%
57. If the answer to Q56 is 'no' was the decision to accept the plea to the alternative or lesser offence or to accept the basis of plea properly justified and reasonable in light of the evidence available and the impact of the offending behaviour on the victim?	Yes	5	50.0%
	No	5	50.0%
	Total	10	100%
58. Did the CPS discuss the acceptability of pleas with the victim or victim's family?	Yes	25	7.1%
	No	9	2.6%
	NA – magistrates' court case	182	52.0%
	No further action	42	12.0%
	NA to this Crown Court case	92	26.3%
	Total	350	100%
59. If the case was discontinued, was the decision to discontinue reasonable based on the evidence, including the full nature of the alleged offending and the impact upon the victim?	Yes	11	3.1%
	No	4	1.1%
	NA – magistrates' court case	182	52.0%
	No further action	42	12.0%
	NA to this Crown Court case	111	31.7%
	Total	350	100%

How well the CPS builds strong cases that support and protect victims of stalking

Question	Answers	Results	
60. Were action plans sent after the first MC hearing proportionate and focused on reasonable lines of enquiry?	Yes	86	24.6%
	No – no action plan where there should have been	4	1.1%
	No – key actions missing	12	3.4%
	No – unnecessary requests	4	1.1%
	No – insufficient escalation of pre-charge action plan	6	1.7%
	NA – magistrates' court case	182	52.0%
	No further action	42	12.0%
	NA to this Crown Court case	14	4.0%
	Total	350	100%
61. Did action plans contain realistic timescales?	Yes	100	28.6%
	No	12	3.4%
	NA – magistrates' court case	182	52.0%
	No further action	42	12.0%
	NA to this Crown Court case	14	4.0%
	Total	350	100%
62. On the trial date was the CPS ready to proceed?	Yes	21	6.0%
	No	2	0.6%
	NA – magistrates' court case	182	52.0%
	No further action	42	12.0%
	NA to this Crown Court case	103	29.4%
	Total	350	100%
63. If the answer to Q62 is 'no' did this have an adverse impact on the victim?	Yes	1	50.0%
	No	1	50.0%
	Total	2	100%

How well the CPS builds strong cases that support and protect victims of stalking

Question	Answers	Results	
64. How did the case conclude?	Guilty plea to all charges	25	7.1%
	Guilty plea to some charges	22	6.3%
	Guilty plea to a lesser/alternative charge	21	6.0%
	Convicted after trial	2	0.6%
	Acquitted after trial	1	0.3%
	Judge directed acquittal	0	0%
	No evidence offered	12	3.4%
	Case discontinued	4	1.1%
	NA – magistrates' court case	182	52.0%
	No further action	42	12.0%
	NA to this Crown Court case	39	11.1%
	Total	350	100%

Questions 65–85 applied to all cases examined

65. Was the level of service (enhanced or standard) the victim was entitled to under the Victims' Code correctly identified and recorded?	Yes – enhanced	302	86.3%
	Yes – standard	7	2.0%
	No – should have been enhanced	39	11.1%
	No – should have been standard	2	0.6%
	NA	0	0%
	Total	350	100%
66. Was the STWAC guidance complied with?	Yes	55	15.7%
	No – STWAC was not complied with	7	2.0%
	No – there was no record of any consultation on CMS	16	4.6%
	NA	272	77.7%
	Total	350	100%
67. Was there a Victim Personal Statement on file post charge at any stage?	Yes	194	55.4%
	No	106	30.3%
	NA	50	14.3%
	Total	350	100%

How well the CPS builds strong cases that support and protect victims of stalking

Question	Answers	Results	
68. Was there a VPS and was it used in court at sentence as requested? ³⁶	Yes	65	18.6%
	No – no VPS requested	12	3.4%
	No – police did not provide VPS	19	5.4%
	No – victim's views not obtained	13	3.7%
	No – victim requested to read VPS, but this did not happen	1	0.3%
	NK	34	9.7%
	NA	206	58.9%
	Total	350	100%
69. Post-charge, did the prosecutor consider relevant applications to support victims and witnesses?	Yes	183	52.3%
	No	23	6.6%
	NA	144	41.1%
	Total	350	100%
70. Were the victim's views on protective orders sought (excluding Stalking Protection Orders as these are dealt with in Q71) at the earliest opportunity and ensure up to date information was requested before sentencing?	Yes	193	55.1%
	No	76	21.7%
	NA	81	23.1%
	Total	350	100%
71. Did the prosecutor consider, and where appropriate advise the police on Stalking Protection Orders where appropriate at the earliest opportunity to ensure the victim was protected?	Yes	3	0.9%
	No	197	56.3%
	NA	150	42.9%
	Total	350	100%
72. Was an appropriate application for a protective order made by the advocate at court (whether on conviction or acquittal)?	Yes	164	46.9%
	No	10	2.9%
	NA	176	50.3%
	Total	350	100%
73. Was a VCL letter sent where necessary?	Yes	80	22.9%
	No	31	8.9%
	NA	239	68.3%
	Total	350	100%

³⁶ Q68 was answered substantively for all cases that had resulted in a guilty plea or conviction after trial AND had been sentenced at the point of our file examination. This was 144 cases. We examined 350 cases in total: 42 were NFAd leaving 308 cases that were charged. Of those 212 had resulted in a guilty plea or a conviction after trial but only 144 had been sentenced at the point of our file examination so allowing us to answer this Q substantively.

How well the CPS builds strong cases that support and protect victims of stalking

Question	Answers	Results	
74. Was the VCL timely?	Yes	50	14.3%
	No	30	8.6%
	NA	270	77.1%
	Total	350	100%
75. Was the victim appropriately advised about their right to review decisions to stop the case?	Yes	14	4.0%
	No	5	1.4%
	NA	331	94.6%
	Total	350	100%
76. Did the CPS (or police WCU) liaise effectively with the court prior to the trial to ensure support options were utilised for victims?	Yes	18	5.1%
	No	2	0.6%
	NK	36	10.3%
	NA	294	84.0%
	Total	350	100%
77. Were accessibility needs identified, and action taken to ensure communications with victims and witnesses were appropriate?	Yes	10	2.9%
	No	7	2.0%
	NA	333	95.1%
	Total	350	100%
78. If the decision was one of NFA, what was the primary reason?	Victim unsupportive	2	4.8%
	Points to prove not met	37	88.1%
	Undermining material	1	2.4%
	Not in PI	1	2.4%
	Other	1	2.4%
	Total	42	100%
79. If the decision was one of NFA, was there a VRR?	Yes	0	0%
	No	40	95.2%
	NA	2 ³⁷	4.8%
	Total	42	100%
80. If there was a VRR, was the VRR upheld, and the case reopened?	Yes	0	0%
	No – original decision to NFA was upheld	0	0%
	No – the prosecution offered no evidence	0	0%
	No – the court ordered the charges to lie on file	0	0%
	No – the case was statute barred	0	0%
	No – other	0	0%
	NA	350	100%
	Total	350	100%

³⁷ These two cases were marked not applicable as the victim had withdrawn their support for the case by the time the case was referred to the CPS for a decision.

How well the CPS builds strong cases that support and protect victims of stalking

Question	Answers	Results	
81. Was the decision to reopen a case correct?	Yes	0	0%
	No	0	0%
	NA	350	100%
	Total	350	100%
82. Was the VRR review of adequate quality?	Yes	0	0%
	No	0	0%
	NA	350	100%
	Total	350	100%
83. What charges were authorised after a successful VRR?	Stalking s2A	0	0%
	Stalking s4A	0	0%
	Harassment	0	0%
	Breach of protective order	0	0%
	Other	0	0%
	None – decision to NFA not upheld but case cannot be reopened	0	0%
	NA – decision to NFA upheld	0	0%
	NA – VRR did not arise	105	30.0%
	NA	245	70.0%
	Total	350	100%
84. Did the CPS's actions and decisions in this case demonstrate effective case building?	Yes	188	53.7%
	No	123	35.1%
	NA	39	11.1%
	Total	350	100%
85. If the answer to Q84 is 'no', did this have an impact upon the outcome for the victim?	Yes	65	52.8%
	No	58	47.2%
	Total		100%
		123	

Annex C

Glossary

Ancillary matters

These include applications such as bad character, hearsay, restraining orders and special measures.

Area

The Crown Prosecution Service is divided into 14 geographical Areas across England and Wales. Each Area is led by a Chief Crown Prosecutor, supported by an Area Business Manager.

Bad character application

An application made to the court to introduce evidence of a defendant's previous misconduct or offending behaviour where it is relevant to the issues in the case.

Case management panel

Internal review meetings where complex, sensitive or high-risk prosecution files are examined for purposes of oversight and quality assurance.

Case management system

The IT system used by the CPS for case management.

Case strategy assessment

An assurance tool the CPS uses to evaluate the quality of legal decision-making and case progression.

Case strategy principles

The CPS's 10 case strategy principles outline the responsibilities of a prosecutor in developing a case strategy to build strong cases, consistently applying the Code for Crown Prosecutors, and recording their decision-making.

Chief Crown Prosecutor

Each of the 14 CPS Areas has a Chief Crown Prosecutor who runs the Area with the Area Business Manager. The Chief Crown Prosecutor is responsible for the legal aspects in the Area, such as the quality of legal decision-making, case progression, and working with stakeholders, communities, and the public to deliver quality casework.

Code of Practice for Victims of Crime (Victims' Code)

Focuses on victims' rights and sets out the minimum standard that organisations must provide to victims of crime.

Code for Crown Prosecutors (the Code)

A public document, issued by the Director of Public Prosecutions, that sets out the general principles CPS lawyers should follow when they make charging decisions. Cases should proceed to charge only if there is sufficient evidence against a defendant to provide a realistic prospect of conviction and it is in the public interest to prosecute.

CPS Direct

The CPS's out of hours charging service.

Crown Court

The court which deals with graver allegations of criminal offences, such as murder, rape and serious assaults. Some allegations can be heard at either the Crown Court or the magistrates' courts (see *either-way offence*).

Crown prosecutor

A lawyer employed by the CPS whose role includes reviewing and preparing cases for court and prosecuting cases at the magistrates' courts. Crown prosecutors can progress to become senior crown prosecutors.

Custody time limit

The length of time that a defendant can be kept in custody awaiting trial. It can be extended by the court in certain circumstances.

Defendant

Someone accused of and charged with a criminal offence.

Deputy Chief Crown Prosecutor

Second-in-command in a CPS Area, after the Chief Crown Prosecutor, for legal aspects of managing the Area.

Director of Public Prosecutions

The head of the CPS, with responsibility for its staff and the prosecutions it undertakes every year. In certain cases, the personal consent of the Director of Public Prosecutions is required for prosecutions to proceed.

Director's Guidance on Charging

Guidance issued by the Director of Public Prosecutions in relation to charging decisions. It sets out guidance for the police and CPS about how to prepare a file so that it is ready for charging, who can make the charging decision, and what factors should influence the decision. It also sets out the requirements for a suspect whom the police will ask the court to keep in custody to be charged before all the evidence is available, which is called the Threshold Test. The latest edition (the sixth, also called DG6) came into effect on 31 December 2020.

Disclosure/unused material

The police have a duty to record, retain and review material collected during an investigation which is relevant but is not being used as prosecution evidence, and to reveal (disclose) it to the prosecutor. The prosecutor has a duty to provide the defence with copies of, or access to, all material that is capable of undermining the prosecution case and/or assisting the defendant's case (unused material).

Discontinuance

Where the prosecution stops the case because there is insufficient evidence to carry on, or it is not in the public interest to do so.

District Crown Prosecutor

A lawyer who leads and manages the day-to-day activities of prosecutors and advocates.

Domestic abuse

Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members, regardless of gender or sexuality.

Effective trial

Where a case proceeds to a full trial on the date that it is meant to.

Enhanced service

A specialised support framework designed for victims with the greatest needs, primarily focusing on adult victims of rape and serious sexual offences and bereaved families in homicide cases.

Full Code Test

A method by which a prosecutor decides whether or not to bring a prosecution, based on the Code for Crown Prosecutors. A prosecution must only start or continue when the case has passed both stages of the Full Code Test: the evidential stage, followed by the public interest stage. The Full Code Test should be applied when all outstanding reasonable lines of inquiry have been pursued — or before the investigation being completed, if the prosecutor is satisfied that any further evidence or material is unlikely to affect the application of the test, whether in favour of or against a prosecution.

Head of Area operations

The most senior non-legal manager in a CPS Area. They are responsible for the business aspects in an Area, such as managing the budget, and work with the Chief Crown Prosecutor to run the Area effectively and efficiently.

Hearing record sheet

A CPS electronic record of what has happened in the case during the course of a court hearing, and any actions that need to be carried out afterwards.

Hearsay application

An application made to the court to rely on evidence from a statement made outside court when the person who made the statement cannot give evidence due to being unavailable or where other specific statutory provisions apply.

His Majesty's Courts and Tribunals Service (HMCTS)

An organisation responsible for the administration of criminal, civil and family courts and tribunals in England and Wales.

Inclusion and community engagement strategy

Sets out the CPS's commitment to promoting fairness, equality, diversity and inclusion across the criminal justice system by engaging with community groups and those at risk of exclusion.

Inclusion and community engagement manager (ICEM)

An external facing role in a CPS Area with a focus on community engagement and inclusion.

Independent domestic violence adviser (IDVA)

A specialist advocate who supports victims at high risk of domestic abuse, helping them assess risk, develop safety plans and access support services, often through multi-agency arrangements.

Independent sexual violence adviser (ISVA)

A trained specialist who supports victims of rape and sexual assault, acting as a key point of contact and providing information and access to support services, regardless of whether the offence has been reported to the police.

Ineffective trial

A case that does not proceed to trial on the date that it is meant to. This can be owing to a variety of possible reasons, including non-attendance of witnesses, non-compliance with a court order by the prosecution or defence, or lack of court time.

Local criminal justice board (LCJB)

A group made up of representatives of the CPS, police, HM Courts and Tribunals Service and others, whose purpose is to work in partnership to improve the efficiency and effectiveness of the criminal justice system and to improve the experience of the victims and witnesses. LCJBs were originally set up in all 43 police force areas by central government and received central funding. They now operate as voluntary partnerships in most counties in England.

Local scrutiny involvement panel (LSIP)

A group made up of representatives of the local community and voluntary sector, especially those representing minority, marginalised or at-risk groups. They meet regularly with their local CPS Area to discuss issues of local concern and provide feedback on the service the Area provides, with a view to improving the delivery of justice at a local level and to better supporting victims and witnesses.

Manual of Guidance Form 2 (MG2)

One of a number of template forms contained in a manual of guidance for the police and CPS on putting together prosecution files. The MG2 is an initial witness assessment used by police to identify vulnerable or intimidated witnesses and record their needs for special measures in court. The information in the MG2 helps prosecutors make applications for appropriate special measures.

Manual of Guidance Form 3 (MG3)

One of a number of template forms contained in a manual of guidance for the police and CPS on putting together prosecution files. The MG3 is where the police summarise the evidence and other information when asking the CPS to decide whether a suspect should be charged with a criminal offence, and the CPS then records its decision.

National File Standard (NFS)

A national system that sets out how the police should prepare criminal case files. It allows investigators to build only as much of the file as is needed at any given stage — whether that is for advice from the CPS, the first appearance at court or the trial. The latest version was published in December 2020.

Offer no evidence

Where the prosecution stops the case, after the defendant has pleaded not guilty, by offering no evidence. A finding of not guilty is then recorded by the court.

Officer in the case

The main police officer responsible for managing, investigating and building a specific criminal case.

Plea and Trial Preparation Hearing (PTPH)

The first hearing at the Crown Court after the case has been sent from the magistrates' courts. The defendant is expected to enter a plea to the offence(s) with which they have been charged. If the defendant pleads guilty, the court may be able to sentence them immediately, but if not, or if the defendant has pleaded not guilty, the court will set the next hearing date and, for trials, will also set out a timetable for management of the case.

Review

The process whereby a CPS prosecutor determines that a case received from the police satisfies, or continues to satisfy, the legal test for prosecution in the Code for Crown Prosecutors. This is one of the most important functions of the CPS.

Senior Crown Prosecutor

A lawyer employed by the CPS with the necessary skills and experience to progress to a more senior legal role, which includes the functions of a crown prosecutor but also includes advising the police on charge. It is not a role that includes managing staff.

Senior District Crown Prosecutor

A lawyer employed by the CPS who holds a senior legal role with responsibility for managing staff. A Senior District Crown Prosecutor will often have responsibility for a casework unit.

Speaking to witnesses at court (STWAC)

An initiative stating that prosecutors should speak to witnesses at or before court to make sure they are properly assisted and know what to expect before they give their evidence.

Special measures

The Youth Justice and Criminal Evidence Act 1999 provides for a range of special measures to enable vulnerable or intimidated witnesses in a criminal trial to give their most accurate and complete account of what happened. Measures include giving evidence via a live TV link to the court, giving evidence from behind screens in the courtroom and using intermediaries. A special measures application is made to the court within set time limits and can be made by the prosecution or defence.

Triage

A check carried out by a member of the CPS staff, usually an administrator, to make sure that what the police have sent to the CPS includes the right documents and other items. It is a check for the required documents, not the quality of their content.

Unsuccessful outcome

A prosecution which does not result in a conviction. If the outcome is unsuccessful because the prosecution has been dropped (discontinued, withdrawn or no evidence offered) or the court has ordered that it cannot proceed, it is also known as an adverse outcome. Acquittals are not adverse outcomes.

Victim Communication and Liaison (VCL) scheme

A CPS scheme to inform victims of crime of a decision to stop, or alter substantially, any of the charges in a case. Vulnerable or intimidated victims must be notified within one working day and all other victims within five working days. In certain cases, victims will be offered a meeting to explain the decision and/or the right to ask for the decision to be reviewed.

Victim Liaison Unit

The team of CPS staff in an Area responsible for communicating with victims under the Victim Communication and Liaison scheme and the Victims' Right to Review, and for responding to complaints and overseeing the service to bereaved families.

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