

A WIRE INFORMATION BOOKLET

STALKING



WiRE

WiRE is a free support service for women and gender diverse people about any issue, Victoria wide

1300 134 130 | wire.org.au

Contents

| | |
|--|----|
| About stalking | 1 |
| What is stalking | 2 |
| Who stalks | 4 |
| Why people stalk | 4 |
| What to do if you're being stalked | 6 |
| Common reactions to being stalked | 11 |
| Getting support | 12 |
| Support | 13 |

We are grateful to the Victorian Legal Foundation (VLF) for their grant to update and print this information booklet. We also thank Nicholes Family Lawyers for their assistance updating this booklet and thank Associate Professor Rosemary Purcell, Nova Taylor and Megan Beatrice for their contribution in our previous editions of this booklet. Every effort has been made to ensure the information contained in this booklet is accurate and current at the time of printing (December 2023). However, no responsibility will be taken for the accuracy or reliability of the information, or for any loss that may arise from errors, omissions, or changes to government policy or the law.

About Stalking

Stalking is a crime that affects an estimated 2.7 million people aged 18 years and over, since the age of 15 ([Australian Bureau of Statistics 2021-22, Personal Safety, Australia, ABS](#)). In addition, half (51%) of Australian adult population have experienced technology-facilitated abuse ([Stalking and surveillance \(2023\), AIHW](#))

Anyone can be a victim of stalking, regardless of age, occupation, ethnicity, or sexual orientation. The majority of those reporting stalking are pursued by someone they know – very often an ex-partner.

Stalkers, especially those whom you know, often want to exert their power over you – to ‘punish’ you for leaving a relationship or rejecting them, or simply to control your life.

If someone’s behaviour makes you feel scared, unsafe and uncomfortable, even if it is someone you know like a boyfriend, ex-partner or family member, it is not OK and you have every right to seek help and support to stay safe and be free of harassment.

While stalking can often be a distressing and disruptive experience that leaves you feeling anxious, there are steps you can take to increase your sense of safety. There are services available that can offer you emotional support as well as practical advice and assistance. It is important to seek out the support you need as soon as possible.

MYTH: It’s my fault.

REALITY: Victim-survivors often feel guilty and blame themselves for the stalking. You are not to blame for the behaviour of the stalker, whatever your relationship is or was to them. Remember that the stalker is solely responsible for their behaviour, not you. You have every right to live free from fear.

What is stalking?

Stalking is when a person repeatedly contacts, harasses or spies on you, and it causes you fear or distress. Stalkers may also threaten and harass your family members, pets, friends or workmates. If they are unable to harass you (e.g. due to a court order), stalkers may enlist their friends or family to do so on their behalf.

You can be stalked physically as well as through technology (cyber stalking), such as

- your mobile phone, computer or iPad, the internet on Facebook and other social networking sites, closed-circuit TV (CCTV) cameras and Global Positioning System (GPS) devices.

Stalking is a crime

Stalking is a crime in all Australian states and territories. Legal responses to stalking have improved in recent years – it is no longer necessary to show that you have sustained actual harm as a result of the stalking in order to get legal or police assistance. In Victoria, the law now states that a stalker is someone who acts with the intention and/or awareness of,

- causing you distress, physical or mental harm
- making you apprehensive or fearful for your safety and the safety of friends and family.

Crimes (Stalking) Act 2003 (Amendment 2011) and Victorian Law Reform, Stalking (2022).

Helpful Reminder:

It is important to have evidence to make use of these laws. If you are being stalked collect evidence that you can show police when seeking assistance and also to use if going to court, for example when you are seeking an intervention order. Please see page 9 about collecting evidence. For more information about what you can do if being stalked visit, <https://www.victimsofcrime.vic.gov.au/stalking>

Physical stalking includes

- approaching or following you, loitering outside your home, workplace or public venues
- interfering with or damaging your property
- making direct or indirect threats to harm you or your family, or friends
- leaving or sending letters, notes, faxes, 'gifts' or other unwanted material
- ordering or cancelling goods and services on your behalf
- starting false legal actions against you to maintain contact with you
- physically assaulting you or your family or friends (or attempting to)

Cyber stalking includes

- sending repeated emails, text messages, and voicemail messages
- using Global Positioning Systems (GPS) devices or tracking apps, such as phone-finder apps or Find My Friends apps, to track your physical location and follow you without your permission
- keeping you under surveillance using devices such as closed-circuit TV (CCTV) cameras
- harassing, humiliating or threatening you through social media sites such as Facebook, Instagram, TikTok, Snapchat, LinkedIn, Twitter (X), Twitch, Discord, or through other online networking sites including blogs, chat rooms, games or dating sites
- hacking into your email or internet accounts to impersonate you and send or post malicious or offensive content to your friends, family and workplace
- emailing or posting abusive, sexually explicit or humiliating comments, photos or videos about you on the internet
- emailing or posting private information or false accusations about you on the internet
- intercepting your emails, changing your passwords and permission settings without your knowledge or your permission
- tracking your internet use and email or installing spyware on your computer

Who Stalks

You will most likely be stalked by someone you know, an ex-partner, casual friend, acquaintance, professional or work contact. If you are stalked by your ex-partner, you are likely to be harassed for longer periods, and are more likely to be threatened and physically assaulted. Key stalking statistics can be found through the Australian Bureau of Statistics.

While the majority of stalkers are male, all individuals and genders can experience this crime.

MYTH: Stalkers are usually strangers.

REALITY: People experience stalking more often from someone they know. In Australia 3 in 4 (75% or 1.1 million) women experience stalking by a known person and 3 in 10 (30% or 448,000) of these women were stalked by a current or previous partner. Of the 2.7 million adults who have experienced stalking in their lifetime; about 94% were women stalked by a male. Women generally knew the stalker, even if only as an acquaintance (Stalking and surveillance (2022), AIHW).

Helpful Reminder:

If you are being stalked for over 2 weeks contact police immediately. If stalking occurs over 2-4 weeks it is likely to continue for 6 months or more. Long term stalkers can escalate their violent behaviour. It is important to be proactive and seek police advice and assistance.

Why people stalk?

Understanding the motivations of your stalker can help you to increase your safety. Sometimes stalkers may fit more than one profile, or begin with one approach and move to another. Below we have listed some sites you can access further information.

1. [Personal Safety, Australia \(2023\), ABS](#)
2. [Stalking, Victims of Crime \(2023\)](#)
3. [Stalking, Final Report \(2022\), Victorian Law Reform](#)

Rejected stalker

A rejected stalker is usually motivated by relationship breakdown. Once a partner attempts to end the relationship, a rejected stalker may seek reconciliation or revenge for the rejection. They often believe they own you and are entitled to control you. The rejected stalker often stalks for long periods with a high chance of physical violence, and you may need restraining orders (IVO's or PSIO) to manage the situation.

Intimacy seeker

Often delusional with fantasies of having a relationship with you (or believes one already exists). People who stalk celebrities usually fall into this category. They can be highly persistent.

Incompetent suitor

Usually seeking a partner or a date, but lack the necessary social skills. They feel they are building a relationship with you by stalking you and may stop after a brief period.

Resentful Stalker

Angry and revengeful, they can be frightening and could become physically violent. They act from a sense of injustice and blame others for their own problems, such as the lawyer whom they felt has cheated them or the person who got the job (or promotion) they felt they deserved.

Predatory stalker

Usually a stranger to you and the least common type of stalker. Their stalking is sexual in nature and often leads to assault.

MYTH: My ex-partner stalks me because they love me.

REALITY: Stalking is a crime and not a sign of love – the reality is they believe they own you. You have a right to safety and privacy, and should not have to put up with feeling scared, unsafe or uncomfortable.



What to do if you're being stalked

It is important that you seek help and support to manage the stalking and its impact on your life. Family and friends can also be adversely affected, particularly children, and should be encouraged to seek help if needed.

You can take action:

1. Avoid contact with the stalker
2. Increase your personal safety
3. Inform close family and friends
4. Collect evidence
5. Contact the police
6. Apply for an intervention order
7. Where to go beyond 000

1. Avoid contact with the stalker

At the earliest stage give your stalker a single clear message that you don't want any of their attention or contact.

- Don't try to negotiate or reason with the stalker. Any contact only serves to prolong the stalking. For many stalkers any contact, however negative, is better than no contact at all.
- Don't respond to insults, verbal taunts or emails
- Don't return gifts or other materials (save these as potential evidence)

- Block unwanted numbers from your mobile phone
- Use an answering machine or voicemail to screen all calls
- Report and block all unwanted messages and posts on Facebook (see [Facebook Help Centre](#)) and other social networking sites
- Delete/block the stalker from your ‘friends’ or ‘contacts’ list, and update the privacy settings on your social networking accounts so that your account is not public.

2. Increase your personal safety

Increasing your safety will help you to feel stronger and give you some control of the situation. If possible, try to improve your home and work security. Free and confidential home security checks can be arranged through most police stations.

- Take all threats seriously and contact the police immediately
- Screen all your calls on your current phone using an answering machine or voicemail. Get a second unlisted phone number for only trusted family and friends – you can get a new mobile phone number by getting a new SIM card.
- Always have a phone with you – memorize emergency numbers and have close family and friends on speed dial.
- Make a **safety plan**, include safe places you can go to in an emergency e.g. police station, homes of friends/family that the stalker doesn’t know the addresses of, places of worship and public areas (www.1800respect.org.au).
- **Keep your location private** – switch off the location feature on your mobile phone and remove any phone finder apps; don’t share your location or ‘check in’ on social media. Only give your home address to trusted people and businesses. Consider getting a lockable mailbox, or post office box.
- Get a new social media account/email address and only share it to trusted individuals. **Reset all your passwords and pins.** Make sure your password is not automatically saved on your computer, and untick the box ‘Remember my password for this site’. **Always sign out of your email or social network sites.**

- Think your computer use is being monitored? Use computers at safe public spaces such as public libraries, internet cafes or community centres.

3. Inform close family and friends

Make good use of your support networks. Tell trusted friends, family members, workmates, security guards, your children's school and, if appropriate, neighbours that you are being stalked. If they are unaware of what's going on they may accidentally give your information to the stalker.

Trusted family and friends can support you and help you to collect evidence of the stalking. It may also help to provide these people with a photograph or description of the stalker and their vehicle.

4. Collect evidence

Stalkers often leave physical or electronic evidence, for example, voice or text messages, emails, letters, cards or unwanted gifts, internet posts or comments. Do not delete, discard or return these items; they are needed for the purposes of investigation and prosecution.

- Keep and date all items or letters received from the stalker, and lock them in a secure place
- Keep all phone and text messages
- Save emails, online posts, comments and messages (take screen shots where necessary of online incidents of harassment) and save them on a separate USB
- Keep a log-book detailing any instances of unwanted approaches, contact, following or surveillance, with dates and times
- If a stalker is loitering near where there are CCTV cameras, you may be able to ask for footage from the owner of the camera.

5. Contact the police

Call your local police station and make an appointment to see a police officer as soon as possible, especially if the stalking has persisted for more than two weeks. You may request to meet with an officer experienced in stalking or harassment cases. Bring along any evidence as it will help establish your case. You can also bring a close friend or family member to the meeting for support.

Police may not be able to act immediately if there is a lack of evidence. An officer should be assigned to your case so that you can contact them directly and report each new incident. Obtain copies of any 'incident reports' you make and keep them in a secure place.

6. Consider applying for an intervention order

You can take legal action by applying for an intervention order. The magistrate makes a court order that forbids the stalker from contacting you or coming within a set distance of you, your home, your work and other places you go to regularly, or getting other people to harass you. If the stalker breaches the order they have committed a criminal offence and the police can arrest and charge them. These orders may serve to deter the stalker and thus protect you, but this is not always the case.

In Victoria, when you apply for an intervention order, you may be asked to first participate in mediation, especially if your stalker is a neighbour or an acquaintance. However if there is a history of violence or threats, the mediation may not have to take place.

Experts say that orders will usually not deter:

- delusional stalkers
- those with a history of violence
- those with a strong sense of entitlement or 'control' over you
- stalkers who have persisted for long periods.

For ex-partners, the intervention order may add to their sense of humiliation and rejection, occasionally with violent consequences. It is important to have a safety plan in place when you apply for an intervention order. Call WIRE, a family violence service or see the WIRE information booklet Family Violence for advice about safety planning and more information on how intervention orders work.

7. Where to go beyond 000

There are a range of ways to protect your safety if you have already reported the stalking.

Checklist:

- Call the Victims of Crime Helpline for support and advice at 1800 819 817
- Avoid contact with the stalker
- Protect your private information and increase your personal safety
- Tell the people you trust that you are being stalked
- Document any evidence of stalking, including what the stalker did, where it happened, the date, the time and the name of any witnesses
- Apply for a personal safety intervention order
- Seek a free and confidential home security check that can be arranged through most police stations
- Call counselling and crisis support services, such as 1800 Respect (1800 737 732)

Keep you and your children safe at home, work and school

- vary your routine getting to places such as work or school, use different places than your usual, for example, banks, shops
- identify escape routes at home and teach your children
- install solid main doors with dead-bolts, fix any broken doors, windows and change locks
- Use a code word with your children that tells them they need to leave
- pack a bag with important items in case you need to leave quickly, and keep it in a safe place or with trusted friend.
- seek advice from your employer about ways to ensure your safety in the workplace. Ask a co-worker or security guard to walk you to your car or public transport.

Common reactions to being stalked

Stalking can be traumatic and cause considerable stress and anxiety. People react differently but most victim survivors report being troubled by at least some of the following:

Emotional

- Heightened fear and anxiety
- Feeling powerless/helpless, depressed or a sense of hopelessness
- Mistrust and becoming suspicious or wary of others
- Anger or irritability
- Guilt or shame
- A desire to withdraw from others

Physical

- Sleep disturbance and nightmares
- Loss of appetite
- Nausea and vomiting
- Worsening of pre-existing conditions such as high blood pressure, ulcers, asthma and dermatitis

Lifestyle

- Changing usual arrangements
- Limiting social outings
- Increasing home and work security
- Changing phone numbers, email and other internet accounts
- Reducing mobile phone and/or internet use
- Reducing or ceasing work or school attendance
- Moving homes

Getting support

You are not alone and not to blame. Getting support is an important way to protect yourself and your sense of well-being. Talking to a counsellor or calling an anonymous service like WIRE can help you deal with your emotions in a safe and totally confidential environment.

The Victims Support Agency can help you in several ways:

- provide information about reporting a crime, applying for an intervention order and the court process
- offer practical and financial assistance (if you are eligible), for example to help improve your security
- offer free short-term counselling through the Victims Assistance and Counselling Program (if you are eligible) .

See the next page for a list of organisations you can contact for further information, support and referrals.

Support

Where do I go for help?

Police

If you are in immediate danger, call the police on 000. If it is not an emergency you can call the police switchboard on (03) 9247 6666 or go to your local police station (police.vic.gov.au).

If you are not in an emergency you can access support from:

- **Victims of Crime**, 1800 819 817, vsa@justice.vic.gov.au, or visit, victimsofcrime.vic.gov.au
- **eSafety Commissioner**, esafety.gov.au/report
- **Lifeline**, 13 11 14, or visit, lifeline.org.au
- **Magistrate Court of Victoria**, (03) 9628 7777, help@magistratescourt.vic.gov.au, or visit, magistratescourt.vic.gov.au
- **Australian Signals Directorate's Cyber Security Partnership Program**, visit cyber.gov.au
- **Victorian Legal Aid**, 1300 792 387, or visit, legalaid.vic.gov.au

Specialised Community Services

- **Rainbow Door** (Switchboard) 1800 729 367, text 0480 017 246, email support@rainbowdoor.org.au
- **Victorian Aboriginal Legal Service (VALS)**, 1800 064 865, or visit, vals.org.au
- **13Yarn**, 13 92 76, 13yarn.org.au
- **Djirra**, 1800 105 303, or visit, djirra.org.au
- **WIRE**, 1300 134 130, support@wire.org.au or visit, wire.org.au
- **Women's Legal Service Victoria**, 1800 133 302, or visit, womenslegal.org.au



Call us

1300 134 130

Weekdays 9am to 5pm

Extended hours, Monday to Thursday,
5 -7pm (**bookings only at [wire.org.au](https://www.wire.org.au)**)



Visit us

**Level 5, 255 Bourke St
Melbourne CBD, 3000**

Weekdays 9.30am to 4.30pm



Contact us

[wire.org.au/find-support](https://www.wire.org.au/find-support)

To chat online, download resources
and book events.

(Chat weekdays only)



www.wire.org.au

Stay up to date

[Facebook.com/WIREinformation](https://www.facebook.com/WIREinformation)

[Instagram.com/wirevictoria](https://www.instagram.com/wirevictoria)

[Linkedin.com/company/wire-women's-information](https://www.linkedin.com/company/wire-women's-information)

[Tiktok.com/@wirevictoria](https://www.tiktok.com/@wirevictoria)

[Youtube.com/@WIREwomensinfovic](https://www.youtube.com/@WIREwomensinfovic)

Subscribe to our newsletter,
Scan the QR code



We acknowledge the First Nations
people as the traditional
custodians of the lands and
waters throughout Australia.

WIRE is a service for women,
non-binary and gender-diverse
people.

WiRE

WIRE Inc. Reg. No. A122 ABN 98 957 157 895

WIRE acknowledges the support
of the Victorian Legal Foundation
and Nicholes Family Lawyers.