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# Introduction

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There is a prevalent myth that stalking is only experienced by celebrities or perhaps carried out by people with severe mental health problems. The popular media often sensationalises stalking cases so that we believe that it happens rarely and in the most extreme of circumstances.

However, stalking is experienced by many people across the country to the extent that their lives are completely controlled by it. It is often carried out by ex-partners and is a method by which domestic abuse can carry on long after separation. A recent survey revealed that only 10% of stalkers were unknown to their victims.

Although women also stalk men and other women, statistics show us that in the vast majority of cases it is men who stalk women. This does not in any way diminish the trauma experienced by men who experience stalking, but for the purpose of this booklet, we will be dealing with stalking perpetrated by men upon women.

In their 1998 study, Tjaden & Thoennes found that '*stalking is a gendered crime: most stalking victims are female*'. They found that 78% of stalking victims in their study were female, while in her 2005 study for Leicester University, Dr Lorraine Sheridan found that 86% of victims were female.

Tjaden & Thoennes also found that 31% of women who were stalked also experienced sexual violence while Dr Sheridan's survey showed that 18% of respondents had experienced sexual violence within the context of the stalking behaviour.

And the impact of this stalking can be far reaching. Dr Sheridan's research showed that 92% of respondents reported physical effects including rape and physical injuries inflicted by the stalker, while 98% reported emotional effects including anxiety, depression, suicide attempts, self harm and post traumatic stress disorder.

The Rape Crisis Centre produced this booklet in recognition of the gendered nature of stalking behaviour and the clear links to other forms of male violence against women.

This booklet has been written for women who have experienced stalking but may also be useful for anyone who may be helping a woman obtain legal protection or other form of practical or emotional support.

The Rape Crisis Centre would like to thank Strathclyde Police for their invaluable contribution to this booklet.

**Rape Crisis Centre**

April 2007

Glasgow

# What is Stalking?

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In Scotland, stalking has no definition in law, however it is clearly recognised that stalking is a range of unwanted behaviours carried out by one person, or persons, against another. This is a course of conduct rather than an isolated incident and can include:

- Following/surveillance
- Standing outside a home, school, place of work or anywhere the woman may be
- Verbal abuse or humiliating a woman in public
- Sending unsolicited, threatening or unwanted mail
- Sending unsolicited, threatening or unwanted text messages or emails
- Sending unwanted/unsolicited gifts
- Threats against the woman, members of her family, friends or pets
- Damage to property
- Physical or sexual assault

Stalkers rarely employ one type of stalking behaviour and often employ several. It is also not uncommon for stalkers to have help from others, unwittingly or not.

It is generally believed that there are three main types of stalkers, though these definitions may overlap. These are:

- The Ex-Partner Stalker
- The Delusional Stalker
- The Vengeful Stalker

The **ex-partner stalker** will often have been physically, emotionally and/or sexually abusive during the relationship and the stalking behaviour may have started before the break-up.

In a study carried out in Glasgow in 2002, Dr Lisa Marshall from Glasgow Caledonian University found that it was common for the stalking behaviour to have been an integral part of the abuse, clearly indicating the controlling element of the man's behaviour and his unwillingness to let the woman end the relationship.

Sometimes the ex-partner stalker gains sympathy from the woman's friends and family members and these are used to help him map her movements, friends, where she has moved to if she relocates, or occasionally gain access to her house. It has often been recorded that these men can be very engaging, charming and extremely resourceful when trying to obtain information about the woman from her friends, workmates etc.

The **delusional stalker** may believe that he, and the woman he is stalking are in love and have a relationship. This may have developed after a couple of dates or even after a party or a group night out. Sometimes the woman will not know her stalker at all.

The **vengeful stalker** may have been rejected by the woman, refused a date, or the woman may have decided not to enter into a relationship with the man after one or two dates. The vengeful stalker may also be an ex-partner looking for revenge, possibly because the woman has entered into a new relationship, gone into further education or taken a job.

# The Law in Scotland

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Under Scots Law there is no specific crime of stalking and most stalking behaviour will be dealt with under the common law offence of 'Breach of the Peace'. Less commonly, stalking could be prosecuted under the common law offence of 'Threats'.

The 1997 Protection from Harassment Act made harassment a statutory offence in England and Wales and though its jurisdiction was extended to Scotland under section 8-11, it does not, in fact, create a criminal offence. A civil action must be raised for an 'action of harassment'.

Section 8-11 of the 1997 Protection from Harassment Act states that:

'Every individual has the right to be free from harassment and, accordingly, a person must not pursue a course of conduct which amounts to harassment or another and:

- a) is intended to amount to harassment of that person: or
- b) occurs in circumstances where it would appear to a reasonable person that it would amount to harassment of that person'

Under this provision, a Non Harassment Order can be obtained with powers of arrest. The person breaching the Order can be arrested without warrant if the arresting officer reasonably believes that the perpetrator is in breach of the Order, or has breached the Order.

Section 9 of the Act states that any person in breach of a NHO made under section 8 is guilty of an offence and liable:

- a) on conviction on indictment, to imprisonment for a term not exceeding five years or to a fine, or to both such imprisonment and such fine: and
- b) on summary conviction, to imprisonment for a period not exceeding six months or to a fine not exceeding the statutory maximum, or to both such imprisonment and such fine.

An Anti Social Behaviour Order (ASBO) is defined in law as ‘an order which prohibits, indefinitely or for such period as may be specified in the order, the specified person from doing anything described in the order’.

Local authorities have the power to apply to a Sheriff to obtain Anti Social Behaviour Orders under the Antisocial Behaviour etc (Scotland) Act 2004, against a person who:

- Is aged over 12 years
- Has acted in an anti social manner or pursued an anti social course of conduct
- Has caused or is likely to cause alarm or distress

The conditions that apply to this are that a ‘course of conduct’ must be two or more incidents, the parties must be from two different households in the local authority area and the ASBO must be considered necessary to prevent further anti social behaviour.

In February 2002, the ‘Protection from Abuse (Scotland) Act 2001’ became law. Under this legislation, a person who is being stalked could apply to a Sheriff for protection through an interdict with powers of arrest. With this in place, police can arrest, without warrant, a person breaching the interdict. This legislation can be used no matter what relationship exists between the two parties.

If the stalking behaviour includes emails, texting or threats by telephone, Section 127 of the Communications Act 2003 could be used to bring a prosecution. The legislation states that, ‘a person found guilty of an offence under this section shall be liable, on summary conviction, to imprisonment for a term not exceeding six months or to a fine... ’



# The Impact of Stalking

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Living with stalking can be extremely frightening and can have a profound impact on a woman's life. In common with other forms of male violence, the main aim of the stalker is to have, or to maintain power and control over the woman and perhaps her children, family and friends.

A woman who is being stalked may feel alone or isolated. If the stalker is not violent or threatening, she may have been told that she is over-reacting or even that she should be flattered with the attention.

But it is not uncommon for a woman who is being stalked to feel anxious, depressed, hypersensitive, to be afraid to go out, afraid to stay at home, afraid to answer the telephone or afraid of what the post may bring. And these feelings can remain even after the stalking behaviour stops because the woman may feel that she cannot be sure it will not start up again.

Often women's children or other family members will be threatened or targeted and many women have chosen to move house, often to another area of the country, to escape the stalker. It's important to recognise that stalking has a similar impact on women to other forms of male violence. This includes:

- Anxiety, nervousness and panic attacks
- Depression
- Resorting to medication for the psychological effects of the stalking
- Inability to sleep
- Fear/terror
- Eating disorders
- Agoraphobia

- Nightmares
- Self harming behaviour
- Suicide ideation, suicide attempts or suicide
- Inability to trust
- Deterioration in physical health due to physical or sexual assaults
- Post traumatic stress disorder

## **Sleeplessness/nightmares**

Some of the physical reactions experienced by women can include sleeplessness or nightmares with women fearing sleep or being unable to sleep in their home alone.

### ***What can I do?***

You may have had to resort to medication to allow you to get some sleep, but if not you can try some relaxation or breathing exercises before going to bed. If you have a Stress Centre in your area you can speak to them about ways to help with sleeplessness.

If you are fearful of being disturbed by late night telephone calls you can unplug your phone or let an answering machine pick up any calls.

You can also ask a friend or family member to be available if you need to call her/him in the middle of the night for support.

## **Eating Disorders**

For some women, control over their eating can be a way of coping with and expressing their emotions. Not eating, bingeing and purging can be used by women to 'stuff down' the pain they are feeling and to numb their emotions. Many women tell us they feel calm after purging.

The binge/purge cycle may serve a protective purpose; in particular, it seems to reduce the intensity of intolerable emotional stress, and provides an outlet for:

- expression of anger
- ensuring predictability
- relieving stress and tension
- establishing control
- developing a sense of personal space
- an opportunity to refocus

### *What can I do?*

Often women who have eating disorders feel ashamed but it is a very common way of coping with the stress of abuse. Talking to a support agency can help, but it's also important to recognise that your body is coping in the best way it can.

Using other methods of stress relief may help and if you have a Stress Centre in your area they may be able to offer advice. Also '**beat**' (formerly the Eating Disorder Association UK) can offer advice and support. Their contact details can be found at the back of this booklet.

### **Self Injury**

Firstly, self injury is **not** attention seeking. It is a way of coping with emotional pain: it's a release when the pain becomes too much to bear.

Women who self injure are not insane or dangerous; they are just trying to cope with the pain in their lives without hurting anyone else. It's important to recognise that women who are self injuring need to have space to talk about their experiences, need to be believed and most importantly, need to be free of judgment.

## ***What can I do?***

You can talk to a specialist organisation – to Rape Crisis or to Bristol Crisis Centre for Women who have extensive knowledge about self harm and who have a helpline that covers the UK.

You can read about it - there are books that offer support and advice to women who self harm and these can be obtained from bookshops or can be borrowed from the Rape Crisis Centre library.

There are also a number of ways to keep yourself as safe as you can when you are self injuring:

- Use clean blades if you are cutting and never share with anyone else.
- Have a well stocked first aid box where you can get at it easily.
- If your wounds become infected, get to your doctor as soon as you can.
- If you've cut too deeply or cut a vein or artery by mistake, get help immediately.
- If you have burned yourself, dress the burn as quickly as you can. If it's a large burn, get medical help as quickly as you can. Put the burn in cold water as soon as possible.

## **Panic Attacks**

Panic attacks are sudden, unexpected anxiety attacks that can include sweating, tightening of the chest, shortness of breath, numbness, tingling of the hands and feet or needing to go to the toilet, your mouth may dry up and you may jump at even the slightest noise.

When you first experience a panic attack you may be confused, not sure of what is happening to your body and frightened that you can't control it. But panic attacks are another way your body has of coping

with your experiences. If your body feels threatened, it responds with the 'fight or flight' response and a panic attack is an exaggerated form of this.

### *What can I do?*

Although panic attacks are your body's way of coping with the stalking, there are some substances that can make it worse. These include:

- Alcohol, nicotine and caffeine and some drugs can make panic attacks worse. Also some prescription drugs can bring the attack on more severely. Withdrawal from some sedatives can have the same effect.
- Your blood sugar levels being too high – this can be caused by junk food, overeating or too much fasting.
- Hyperventilating caused by stress can make a panic attack worse.

There are some ways to help with the effects of a panic attack.

- Breathe. When you are having a panic attack you stop breathing normally and this can cause a pounding in your head, dizziness, shaking, sweating, and feeling faint. If you can start breathing normally the feelings of panic will lessen.
- Take time to recover. It will take a while for you to feel yourself again so give yourself permission to take some time to get back to your normal activities.
- Get some support. If you have a friend, family member or a support worker who knows about your panic attacks, you can choose to talk about your feelings anytime you need to.
- Stamp your feet or clap your hands loudly.

# Feeling Safe

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## Support for you

If you are being stalked by an ex-partner you can call your local Women's Aid group for support. They may also be able to give you information about a lawyer you can visit for legal advice.

If you have experienced sexual violence, or threats of sexual violence from the stalker, you can also contact Rape Crisis for support on our telephone helpline, by post or by email, or you can drop into the Centre in Glasgow any Wednesday between 10.30 am and 3.00 pm.

## Your Safety

You can also contact your local police office to report any incidents or to discuss the stalking with your Community Safety police officer. She or he will also be able to advise you on additional safety measures inside your home to help you feel more secure.

## Telephone

If you are being harassed by telephone there are a number of ways you can get help, including those above in the section on 'The Law'. The advice most often given by experts in this field is that you should do your best not to engage with the stalker.

This can be very difficult as you may want to answer his calls to tell him to leave you alone or to try to reason with him and let him know the impact his behaviour is having on you and your family. However, the message he will take from any communication you have with him is that he can get a response from you; if he calls, you will answer. Some other ways to deal with this are:

- You can use an answering machine to filter all your calls and let any friends or family members you can trust know what you are doing. This way you can respond to

messages you choose. You should try to keep a record of any abusive messages to pass on to the police if you have chosen to involve them.

- BT has a policy on nuisance calls and you can access information on this by calling them or logging on to their website. If you have a different telephone service provider, contact them for information on how they can help you.
- You can ask your telephone line provider to change your telephone number and ensure that your new number is ex-directory.
- If you are receiving calls from the stalker on your mobile phone, or you are constantly being sent texts, you should not answer but keep these messages and if you can, download them onto your computer. You may wish to change your phone number and give your new number to those friends and family members you can trust.

## By Post

You may be receiving letters or gifts through the post in addition to telephone calls. There are a number of ways you can deal with this.

- Make sure you keep all correspondence you receive from the stalker as you may need it if you are taking legal action.
- Any gifts or packages you receive should be kept complete with contents if possible.

If you receive any obscene materials in the post these must be kept as the stalker may be committing an offence under Section 85 of the Postal Services Act 2000. If you receive a letter, package or parcel which you know is from the stalker, you should place it, unopened, in a plastic bag and show it to the police if you have involved them. This is the best way to preserve any fingerprints, skin cells etc. that will be on the contents.

## By Email

If you are receiving abusive or threatening emails the advice is similar to that given for telephone calls. You should not respond but keep all of his emails in a separate file – if you know they are from the person who is stalking you, you don't have to open them or read them if you feel that this will upset you. Just file them as they may be useful if you are taking legal action or if there is a police investigation.

## In Person

If you are being followed, for your own safety do not approach your stalker or challenge him. If you have a non-harassment order or an interdict, you should contact the police immediately.

If the stalker is turning up at your place of work, again you should contact the police and let them know that you have a non-harassment order/interdict.

If the stalker is coming to your house and you would like extra security, you can contact your local Community Police officer or the Community Safety section of your local council to discuss extra measures you can take.

If you do not have a non harassment order or an interdict you can contact Rape Crisis who will be able to give you contact details for a solicitor who has experience in these issues. When contacting any solicitor, it may be useful to check if she/he has had previous experience dealing with protection orders.

If you have relocated to escape the stalker you may want to minimise the chances of being located by him. You can ask your telephone service provider to make your phone number ex-directory and you can ensure that any personal details that are available from websites that 'find' people – such as 192.com – are removed. You can do this on their website under their section on 'Privacy Policy'.



## Property

If any of your property is being damaged or vandalised, you can report this directly to the police and if you haven't reported previous behaviour by the stalker, let them know that this is part of a pattern of behaviour. You may wish to show them any letters, gifts or record of phone calls you may have kept.

## Legal Advice

As shown above, there are several ways you can get legal protection and a solicitor will be able to ensure that you have all the information you need about this. Make sure that you find a solicitor that has experience of dealing with this kind of case. Your local Women's Aid group may be able to give you advice on finding the right solicitor. The Rape Crisis Centre can also put you in touch with a solicitor.

## Useful Contacts

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Glasgow Women's Aid  
0141 553 2022

Drumchapel Women's Aid  
0141 944 0201

East Dunbartonshire Women's Aid  
0141 776 0864

Dumbarton District Women's Aid  
01389 751036

East Renfrewshire Women's Aid  
0141 644 4342

Women and Children 1<sup>st</sup>  
0141 887 7227

Castlemilk Women's Rights Project  
0141 634 0313

Amina – Muslim Women's  
Resource Centre  
0808 801 0301

Base 75  
0141 204 3712

Beat – beat eating disorders  
0845 634 1414  
[help@b-eat.co.uk](mailto:help@b-eat.co.uk)

Greater Easterhouse Women's Aid  
0141 781 0230

Hemat Gryffe Women's Aid  
0141 353 0859

Clydebank Women's Aid  
0141 952 8118

Renfrewshire Women's Aid  
0141 561 7030

Women's Support Project  
0141 552 2221

CARA  
01389 738 595

Legal Services Agency  
0141 535 3354

Ethnic Minority Law Centre  
0141 204 2888

SAY Women  
0141 552 5803

Bristol Crisis Centre for Women  
0117 925 1119  
[bcswh@btconnect.com](mailto:bcswh@btconnect.com)

## **Strathclyde Police Family Protection Units:**

Clydebank	0141 532 3412
Renfrewshire	0141 532 6121
Glasgow West: Saracen	0141 532 3714
Glasgow East: Baird Street	0141 532 4214
Glasgow South: Aikenhead Road	0141 532 4914
Glasgow North: Stewart Street	0141 532 3014

You can contact your local police office or your local council office for home safety advice.

## **Have you had a good service from us?**

We try at all times to ensure that the service we give to women is of the highest quality and to do this we have developed a clear and easy to use Complaints Policy.

If you are unhappy about any aspect of the service we have delivered, please do not hesitate to contact the Centre Manager to discuss this.

If you would like to make a formal complaint to the Rape Crisis Centre, please contact us for a copy of our Complaints Procedure.

**rapecrisiscentre**

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30 Bell Street

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