



Submission on Crimes Legislation (Stalking and Harassment) Amendment Bill

In 2024, Graduate Women New Zealand (GWNZ) expressed our support for the petition launched by the Coalition for the Safety of Women and Children, and Anti-Violence Action, seeking to make the act of stalking illegal in Aotearoa New Zealand. The principle behind this action recognises the harm and fear that stalking brings into the life of (predominantly) women. GWNZ supports all women in Aotearoa New Zealand - including politicians - being able to live their lives confidently, free from the fear of stalking. Making stalking a crime in New Zealand - as it already is in the EU, UK, US and Australia - will act as a deterrent, and will ensure police get better training to offer better protection.

As ActionStation noted alongside the petition, "the focus on punitive measures in our justice system routinely causes harm, especially to Māori and Pacific whānau. However, we understand that people are experiencing violence in the here and now and need specific protections".

In addition to the public petition, GWNZ signed an open letter directed to the Minister of Justice that was published on 20 May 2024, signed by 52 organisations and numerous prominent individuals. On 22 May 2024, Labour MP Ginny Anderson entered a Member's Bill into the ballot seeking to make stalking illegal. The Bill further highlights the importance of this campaign, noting "Stalking enables family and gender-based violence, erodes the stalked person's freedoms, limits their social contracts, educational and employment prospects, restricts involvement in public life and causes psychological harm".

In June 2024, the Minister of Justice Paul Goldsmith received the petition, signed by over 20,000 people, and committed to introducing a Bill to address stalking by the end of this year.

Alongside other organisations submitting on the bill, GWNZ supports the following:

- Putting stalking in the Crimes Act
- The proposed list of stalking types (broadly: surveillance; following; unwanted contact; life sabotage; taonga/property damage; any distressing or frightening act eg threats)
- Including stalkers' harmful use of others, and stalking of family members (eg using or threatening children to get at their mum) and interference with pets
- Victims being able to keep their distress more private (as stalking consists of acts "which would cause fear or distress to a *reasonable person*" rather than to the specific victim)
- Police being able to warn a stalker after one act (this has helped prevent escalation in some cases overseas)

- Convicted stalkers being prohibited from owning a gun for ten years – to protect victims

GWNZ does not support:

- That for stalking to be considered a crime, it requires:
 - 3 acts (it should require only 2 acts)
 - a time frame (3 acts in 12 months; it should require 2 acts in an unspecified time)
 - the stalker *knowing* their acts will likely cause fear or distress (it should be “knows or ought to know” to cover denial, and deluded stalkers)
 - Excluding acts of stalking friends, employers, employees and supporters (such as refuge workers) of the primary target
 - Police being able to warn a stalker without letting the victim know and without taking the victim’s informed preference into account
 - That people charged with stalking but not yet convicted don’t mandatorily lose the right to own a gun (conviction can take years)
 - That there’s no mandatory consideration of stalker rehabilitation, such as non-violence programmes, and/or psychological, psychiatric, cultural and/or addiction intervention.
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