

METRAC



**Love** or  
**Obsession**

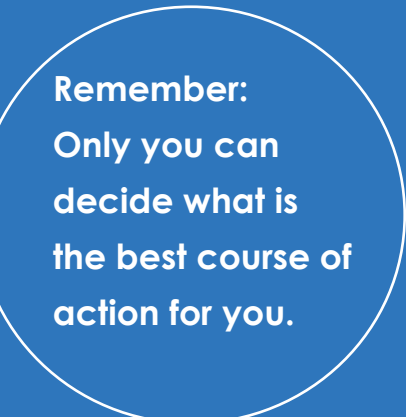
A Guide for  
Women Being Stalked

**METRAC has produced this booklet for women being stalked. Women are most often stalked by men with whom they have had an intimate relationship, so the information in this booklet reflects this reality.**

Information is current to the date of publication. We strive to reflect experiences of diverse women, including women of many ethno-racial backgrounds, income levels, ages, sexual orientations, geographic locations, and abilities.

Our goal is to provide you with as much information as possible so that you'll know your options and rights. There are different things you can do to increase your sense of safety. You may feel that you have lost control because of the person who is stalking you. We hope that you will find some helpful options in this booklet.

Please note that this booklet does not replace the need for individual counselling, therapy, or legal advice. Page 21 lists places you can go to get support and help.



**Remember:  
Only you can  
decide what is  
the best course of  
action for you.**

## What is stalking?

### Someone who is stalking may:

- annoy or threaten you with their repeated phone calls or messages (e.g. voice mails, texts, letters, emails, notes on Facebook)
- send you things you don't want (even nice gifts)
- follow you, your children, friends, or other people you're close to
- steal your mail
- try to get private information about you from other people
- enter your home when you're not there
- vandalize your property or car
- threaten or assault you (which is against the law)
- threaten or harm your pets, farm animals, or service animal (e.g. seeing-eye dog)

Some people may tell you, "He's just showing his love for you." But stalking is a form of abuse – it's used to scare, threaten, and control the victim. Some people think that it's okay for a man not to take "no" for an answer and keep harassing a woman until she says yes to whatever he wants. That's not fair.

Stalking often happens against women by men, but it can happen in same-sex relationships too.

**Stalking is a form of abuse because it's used to scare, threaten, and control the victim.**

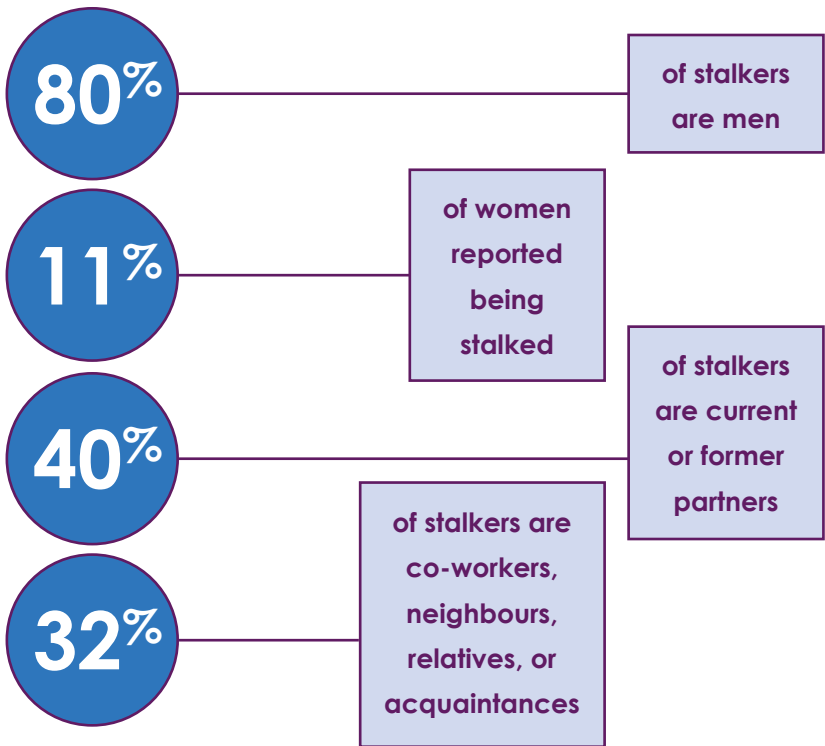
Some stalking behaviours are against the law and are known as "criminal harassment" in section 264 of the *Criminal Code of Canada* (read more on page 8).

Stalking often escalates – it may be harassing and annoying or even seem silly at first, but it can turn into frightening and dangerous behaviour.

# STATISTICS

Many women are stalked by their former partners, who may have been abusive during the relationship. This abuse often turns into stalking after the relationship has ended.

While any woman can experience gender-based violence, some women are more vulnerable based on their experiences of discrimination such as racism, classism, ableism, ageism, and heterosexism. As such, solutions and services to address violence against women must take these realities into consideration in order to be as effective as possible.

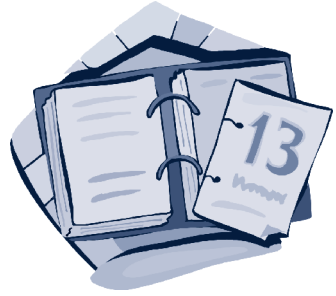


- Young women aged 15-24 reported the highest rates of being stalked
- Aboriginal people are twice as likely to experience stalking

(Statistics from Statistics Canada, 2005, Family Violence in Canada: A Statistical Profile)

When is the danger the highest?

- The first three months after you leave a relationship
- Dates or anniversaries related to you or your relationship with the person stalking you
- When the person stalking you thinks you are seeing someone new
- When the person stalking you receives court orders related to separation from or stalking you



Pay attention to your instincts, including your gut feelings, doubts, anxieties, suspicions, and fears. They are important. Don't discount them – try to identify what's causing them and start planning for your safety.

**Remember: Stalking can happen at any time. These are just a few examples of the times that it may be particularly dangerous to you.**

## MYTHS AND FACTS

### MYTH

Stalking is a part of courtship and it's romantic. If he really likes her, he shouldn't take no for an answer!

### FACT

There is nothing romantic about stalking. It's frightening and the stalker is trying to intimidate and control the person he's stalking. It's not love.

### MYTH

When someone stalks their ex-partner, it's because they can't let go. They probably just want to get back together.

### FACT

Usually a stalker wants to get back together because he wants to continue to control his ex-partner. There are respectful, non-harassing, non-frightening ways for someone to talk to their ex-partner about getting back together, and stalking should not be a part of it.

### MYTH

Women who are stalked are at least partly responsible for it. Some may even find it flattering.

### FACT

No one likes being stalked. It's very scary, and the fear women feel in this situation is real. Victims are never responsible for the stalking. Only the stalker is responsible for his behaviour.

### MYTH

Stalkers are just crazy strangers.

### FACT

Research shows that few stalkers are considered mentally ill and few are total strangers.

### MYTH

Stalking only happens to movie stars and other public figures.

### FACT

Most stalking cases involve ordinary people, and it can happen to anyone.

### MYTH

Stalking doesn't happen in same-sex relationships.

### FACT

Violence can happen in all relationships, including same-sex relationships, and it's devastating to anyone. The reason most people don't know about it is that we don't discuss these issues very much in our society.

### MYTH

Stalking isn't a big deal. It's normal for you to have a 'stalker' at some point.

### FACT

Stalking is a very big deal to people being stalked and their family and friends as well. It's a form of abuse in and of itself, and can turn into physical attacks or even murder.

### MYTH

You should just reason with your stalker and they'll stop what they're doing.

### FACT

The person being stalked should not feel responsible for making the stalker stop what they're doing. Talking to a stalker may encourage him to think that the person he's stalking wants a relationship or that their behaviour is producing the results they want. It can be very dangerous for women in particular to communicate with their stalkers in any way.

**A woman is not responsible for her stalker's behaviour, and she should not feel responsible for making him stop.**

## Common stages of Stalking

Especially if they're an ex-partner, a stalker may engage in one, some, or all of the following behaviours. He may begin with one and gradually move on to the others as the stalking escalates.

1

**Courtship:** At this stage, the stalker may send flowers, love letters, and other signs of affection to “win back” your affections. At first, you and others may think his actions are romantic, but if they continue after you've asked him to stop, it's a concern.

2

**Surveillance:** The stalker may increase his attention on you by watching and following you. He may sit outside of your home or workplace, drive behind you, or show up when you're out with friends or doing errands.

3

**Communication:** He may begin phoning you, writing, texting, and/or emailing repeatedly without the affection he showed in past communications. He may leave you several messages a day or call you over and over again. If you have children, he may try to use them as the excuse for contacting you.

4

**Symbolic Violence:** The stalker's tone may change dramatically – he may send or leave scary things (e.g. dead flowers), damage or steal your property, hurt or even kill pets, threaten people you love, and threaten you directly.

5

**Physical Violence:** The stalker may hurt you or those you love physically (e.g. kicking, punching, grabbing, sexual assault, assault with a weapon).

If a stalker cannot reach the person he's stalking, he may transfer his violence and desire for control to people who matter to you or to anyone he believes is keeping him from you (e.g. family members, co-workers or close friends, a new partner or romantic interest).



## What legal protection is there?

Stalking is against the law, named “criminal harassment” in section 264 of the *Criminal Code of Canada*. This section says that certain stalking behaviours are illegal when they cause a victim to reasonably fear for their safety or the safety of other people they know. To have the person who is stalking you charged, you will need to report what is happening to the police. If you decide not to involve the police, there are other legal options to consider.

- In family court, you can apply for a restraining order that can keep him away from you as well as other family members who are concerned for their safety.
- You can apply for a peace bond through the Justice of the Peace in criminal court. The peace bond can require that the stalker stay away from you for up to 12 months.
- In very extreme cases, you can consider changing your identity to flee from the person stalking you. You can learn more about this by calling your local shelter or police department.

**Note: Some stalking behaviours or behaviours that happen before or after stalking may be covered by other laws and charges.**

Some of these options may be difficult if you live in a rural or small community. A restraining order or peace bond may not be useful if the nearest police detachment is far away or if your home is so isolated that there would be no witnesses to notice the stalker. If your family farms or is involved in some other type of family business, it may be difficult to get a “no contact” order that won't interfere with the family business.

## WORKING WITH POLICE

The decision about whether or not to call the police is difficult. They have resources to help assess the level of danger that the stalker poses. They also have the ability to arrest and charge the stalker. Once he's charged, his bail conditions may keep him away from you, at least for a while.

But once police are involved, they will take over most of the decision-making, and you may feel that you no longer have control over what is happening. Police will not necessarily keep you informed about everything that is happening with your case. Not all police are trained to handle stalking cases appropriately, and you may feel that you're not believed or that you're being blamed for what's happening to you. If you are from marginalized communities, including communities of color, Aboriginal communities, disability communities, and LGBTTIQQ2S communities, you may not want to involve the police due to concerns about systemic biases and prejudices.

If you're living in a remote or rural area, access to phone lines may be limited. You may have no phone or it may be on a party line, which means your calls can be overheard by other people sharing the same phone line. This can make it difficult to call for help. As well, 911 service may not be available in your region and your local police detachment may only open certain hours a week. Emergency calls outside those hours will be routed to somewhere far away, and they may not provide you with police response for several hours.

You may not feel comfortable talking to the police because the officer is related to or friends with the stalker or because you don't want others in your community to know what is going on. Also, the police and other officials in the legal system may be related to or friends with the person stalking you, which may make it more difficult for you to approach them for assistance.

These are all factors you will need to consider in deciding how to keep yourself safe.

## Criminal Court

Once the police have laid a stalking charge, the file will be turned over to Crown Attorney's office (the state lawyers, usually called "the Crown") for prosecution. Depending on what happened, your stalker could be charged with many things, such as criminal harassment, uttering threats, forcible confinement, trespassing or other property crimes, animal cruelty, and/or assault.

Some communities have a Victim Witness Assistance Program (VWAP) as part of the Crown Attorney's office. It's there to help you with the court

process by helping you communicate with the Crown, explaining the legal process, and preparing you to testify at trial. You should always remember that anything you say to a VWAP worker will be passed on to the Crown, and the Crown may have to pass this information on to the defence lawyers representing the person charged with stalking.



You can call the VWAP office to check on the progress of the case, find out about court dates and bail conditions for the

person charged, and arrange meetings with the Crown. If there isn't a VWAP program in your area, you'll have to deal directly with the Crown or the police – you can ask the police and the Crown early in the case who will be your contact person/people.

The Crown is not considered your personal lawyer. *S/he* represents the interests of the state and the community. *S/he* can drop charges, agree to a plea bargain, and discuss final sentences with the defence lawyer, and *s/he* may not do what you want or expect. Sometimes, victims find the criminal law system disappointing or disempowering because they don't have much control over what happens and it focuses on the person accused of crimes.

**Be prepared: What happens in the case can vary widely. Charges are often reduced or dropped entirely, and where the accused is found guilty, sentences are often light.**

# WORKING WITH THE COURT

## Family Court

While the criminal law deals with criminal harassment charges, you may decide to go to the family court for help instead.

The family court can issue a restraining order to keep a harassing or dangerous ex-partner away from you if it's necessary. You can apply for a restraining order by itself or at the same time that you apply for custody and child support. Your application will need to say exactly why you're afraid of the stalker, and you will have to provide as much evidence of his behaviour as possible.

While both criminal and family courts have ways to support and protect women who are being stalked, the attitudes of some people who are a part of the legal system can make it difficult for women. Attitudes you encounter may make you feel that the stalking is not being taken seriously or that it's your fault. Even when court orders are made to keep the stalker away, they are frequently broken and the police don't always respond appropriately. Bail is usually granted by the courts, even for people who have been charged with many stalking-related offences.

Going to criminal or family court is an important to consider, but it's not a guarantee of safety.

## DOES THE LAW WORK?

Many women don't want to go to the legal system for many reasons. They may think the police won't believe them; they may be afraid that they'll get treated badly because of who they are; they may be afraid that the abuser will face racism or other prejudice in the legal system; and/or they may be concerned that the police officer or other legal representatives are friends with or relatives of the abuser. Even when women do call the police, they may have difficulty providing legal evidence, so a charge may not be laid.

Sometimes, laying a charge may make the violence increase, especially since the stalker will probably get released on bail as long as he agrees to stay away from the victim. Stalkers may make this promise and ignore it, continuing to harass the victim and getting even angrier.

Often, criminal harassment charges are "plea bargained" (negotiated down between the lawyers) to less serious offences or are dropped altogether if the stalker promises to stay away from the victim and signs a peace bond. Even when a guilty verdict is made, sentences are usually light.



**Only you can decide whether or not you want to involve the police and the courts.**

You can do this by gathering information and seeking help from people who believe you and will support you to make your own decisions.

# HEALTH EFFECTS

## Stalking affects different women differently.

You may get physical health effects like headaches or stomach and digestive problems. You may experience emotional health effects, such as anxiety or depression, or you may have no apparent health effects at all.

### ***Some common impacts of being stalked include:***

- sense of loss of control over your life
- feelings of shame
- depression
- guilt or humiliation
- poor concentration
- anxiety or panic attacks
- feeling responsible
- feeling vulnerable
- feeling cut off from family and friends
- pessimism
- flashbacks
- constant fear
- difficulty sleeping

Counselling or therapy can help you deal with your feelings and get support, especially if you go through the criminal court experience. Some women have said that the legal system can become part of the problem, making victims feel that they are being revictimized and that the power of the stalker is being maintained.

### Some general “dos and don'ts” for protecting yourself:

- DO** avoid all contact with your stalker and do not respond once you have told him NO.
- DO** tell people you trust what is happening to you and the danger you feel.
- DO** tell others the importance of keeping your personal information secret.
- DO** remember that you have the right to be choosy about who you give personal information to (e.g. phone number, email address) and who has access to you (e.g. Facebook friends).
- DO** keep everything your stalker sends you in a private place and keep a record of what is happening.
- DO** consider reporting the stalking to the police.
- DO** find a women's service that can help and support you to take actions to feel and be safe.
- DO** be alert to your surroundings and tell your family and friends to do the same.
- DO** document what is happening.
  
- DON'T** ignore what is happening or keep it a secret.
- DON'T** underestimate the danger you may be in.
- DON'T** try to deal with your stalker by yourself.

# MAKING A SAFETY PLAN

A safety plan is a list of things you need to do and have to be safer. Every woman's safety plan will look different, depending on things like your income and work, where you live, whether or not you have children, and your relationship with family and friends.

## Make a record of what is happening

You can carry around a small calendar showing a week or a month at a time. You can record everything the stalker does, no matter how small or insignificant it may seem, indicating the date and times of the incidents. If there are witnesses, make a note of them, and note whether or not you called the police, the name of the officer you spoke with, the report number, and any actions taken by the police.

Keep any evidence, such as notes, emails, telephone messages, and gifts. You can ask someone you trust to keep the evidence for you, if it makes you feel uncomfortable to keep it yourself.



*NOTE: Use a separate journal to writing down your feelings. Defence lawyers often try to get access to private records. If you keep your personal journal separate from the calendar you use to write down what the stalker is doing, you have a better chance of keeping the journal private. Only tell police, the Crown, or VWAP worker(s) about your personal journal if you are asked about it directly.*

## Elements of a Safety Plan

At a minimum, decide on a place you can get to quickly if the stalker appears. Ask these questions to decide on an appropriate place to go:

- Will you be taking your children with you?
- Do you have a car or vehicle? If not, is there public transportation or someone you trust with a vehicle that you can get to quickly?
- Is there a shelter in your community? If not, where else could you go (e.g. police station, a public place like a mall or store, a friend's or family member's home, a safer place within your workplace if the stalker shows up there)?
- What are your financial resources?



## MAKING A SAFETY PLAN

Finding a safe space to get to is especially important and difficult if you live or work in an isolated area.

What would you need to take with you if you had to leave your home quickly? Consider the following:

- keys to your car or vehicle
- identification for yourself and your children (e.g. birth certificates, passports, immigration papers, health cards)
- clothing (at least enough for a few days)
- cash, bank cards, credit cards
- court documents such as restraining orders, custody orders, and bail conditions
- medicine, prescriptions, vitamins, glasses
- a few items to make the children feel secure (e.g. their favourite small toys)



Can you keep these items in a safe place that you can get to quickly? For example, perhaps you could keep a bag of these items at your workplace, in the garage, or at a friend's house.

# MAKING A SAFETY PLAN

## More about a Safety Plan

*There are things you can do to increase your safety:*

1

**Photographs:** Show a photograph of the person stalking you to anyone who might have contact with him and ask them to tell you if they see him.

2

**Self-defence:** Taking a self-defence course for women might help you feel more confident and help you get away if you get confronted by your stalker.

3

**Routines and Routes:** Varying your schedule and activities, shopping in different places, and using different routes to travel to work or school can help. Identify places in your community where you can get help in an emergency, such as police or fire stations and busy areas like shopping centres or restaurants.

4

**Security system:** A security system can help make you feel safer in your home. So can bright outside lighting, a wide-angle viewer in your door, and other security devices. But many of these can be expensive and they may not be an option for you. At a minimum, you may be able to install deadbolts in your doors to keep them locked. If you live in rented housing, you may be able to ask your landlord to install some safety devices for you.

5

**Mail:** If your stalker is harassing you through the mail or if he's stealing your mail, consider getting a post office box and using that as your address. In serious situations, you can consider asking someone else pick up your mail so your stalker can't follow you. You can find tips about reducing cyberstalking and email stalking online.

6

**Car:** If you have a car, make sure it's registered in your name. Vary your driving routes as much as possible and keep your doors locked, even when you're in the car. If you think you're being followed, drive to a police or fire station. Park in well-lit areas that are close to exits. Don't park where you have to give your keys to a parking attendant. Have your keys in your hand as you approach your car and check before getting into it.

7

**Telephone:** Stalkers often use the phone to harass. If you and the person stalking you don't live together but have children, a family court "custody and access" order may allow him to call your house to speak to the children or speak with you about them.

## MAKING A SAFETY PLAN

There are ways you can control the stalker's telephone access to you:

- buy a call display phone so you can identify where calls are coming from.
- only answer calls that come from numbers you recognize. Let all other calls go to an answering machine. This way, you can check messages and return only the calls you want to return.
- use \*67 to block your number and name, so the person you are calling will not see that information on their call display. If you have a rotary dial phone, dial 1167 at the beginning of your call. There is no charge for this service. You may also be able to make arrangements with your telephone company to permanently block your name and number.
- find out from your telephone company if they will can messages for you. Different companies can make different arrangements.
- program your speed dial for emergency numbers (e.g. 911 or your local police).
- if you do not have call display, you can dial \*69 immediately after your stalker has called to find out the number that he called from. You can also dial \*57, which will automatically trace the call with the phone company. There is a charge for these services. Call the phone company to get details.
- if you have to let your children speak to the stalker because of a family law order, consider installing a second line for this purpose. Never answer this phone. Some family court judges have made orders that abusive ex-partners must pay for a second line.
- at work, you can have someone screen your calls. You can use \*60 to make a list of numbers that you do not want to receive calls from.
- consider getting a cell phone and carrying it with you at all times, and only share the number with people you trust.
- depending on your circumstances and where you live, consider applying for a Domestic Violence Emergency Response (DVERS) alarm hook up to your telephone.



# MAKING A SAFETY PLAN

## More Safety Plan Tips

- If your neighbours are not friends or family members of your stalker, you can tell them what is going on and give them a description of the stalker and his car. Ask them to let you know anytime they see him.
- If you feel comfortable dealing with the police, report the stalking to them. Even if there is not enough evidence to have a charge laid, the police may be able to make a home visit and give you some suggestions about how to make your home and property safer.
- If you have a telephone line, try to have one easily accessible in every room.
- Arrange for friends to call you regularly and work out an action plan for them if you do not answer their calls.
- If you can afford it, install exterior lighting around your home to get rid of as many dark spots as possible.
- If you work from your home, arrange to have people drop by frequently, at irregular times.

**Unfortunately, not all of these options may work for you. Some cost money, some are not available in rural or remote areas, and some are not practical for women using a party line or beyond the transmission range of cell phones. Consider using the options which are available to you so you can minimize the telephone harassment.**

# WHERE CAN YOU GO FOR HELP?

## ■ 24-Hour Emergency Numbers

- **Emergency (police, ambulance, fire):** 911
- **Community Connection:** 211
- **Assaulted Women's Helpline:**  
1-866-863-0511 | 1-866-863-7868 (TTY)
- **Distress Centres of Toronto:** 416-408-4357 | 416-408-0007 (TTY)
- **Femaide (French Crisis Line):** 1-877-336-2433 | 1-866-860-7082
- **Kids Help Phone:** 1-800-668-6868



## ■ Legal Contacts

- **Community Legal Education Ontario:** [www.cleonet.ca](http://www.cleonet.ca)
- **Family Law Education for Women (FLEW):** [www.onefamilylaw.ca](http://www.onefamilylaw.ca)
- **Law Help Ontario:** [www.lawhelpontario.org](http://www.lawhelpontario.org)
- **Law Society of Upper Canada, Lawyer Referral Service:**  
1-800-668-7380 x5000 | [www.lsuc.on.ca](http://www.lsuc.on.ca)
- **Legal Aid Ontario (for lawyer referrals, a list of community legal clinics, and more):** 1-800-668-8258 | 1-866-641-8867 (TTY) | [www.legalaid.on.ca](http://www.legalaid.on.ca)
- **Legal Line:** 416-929-8400 | [www.legalline.ca](http://www.legalline.ca)
- **Ontario Women's Justice Network:** [www.owjn.org](http://www.owjn.org)
- **Victim Support Line (for assistance and local VWAP information):**  
1-888-579-2888

## ■ Other Contacts

- **Sexual Assault Centres:** [www.ocrc.ca](http://www.ocrc.ca)  
(for local centres, look in your local telephone book)
- **Sexual Assault/Domestic Violence Treatment Centres:**  
[www.satcontario.com](http://www.satcontario.com)
- **Shelters for Women and Children:** [www.shelternet.ca](http://www.shelternet.ca)  
(for local shelters, look in your local telephone book)
- **Ontario Association of Children's Aid Societies (information on child abuse and local child services):**  
[www.oacas.org](http://www.oacas.org)
- **Family Service Canada (lists local family service associations):**  
[www.familyservicecanada.org](http://www.familyservicecanada.org)

# LOCAL RESOURCES

**Shelter/Crisis Centres:**

**Counsellor:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Lawyer:** \_\_\_\_\_  
\_\_\_\_\_

**Crown Attorney's Office:** \_\_\_\_\_  
\_\_\_\_\_

**VWAP Office:** \_\_\_\_\_  
\_\_\_\_\_

**Police:** \_\_\_\_\_  
\_\_\_\_\_

**Other:** \_\_\_\_\_  
\_\_\_\_\_

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