

Opinions of Harmony House
on the
Consultation Paper on Stalking

Date : 1997

1. Harmony House Limited, a non-government organization with specialized service for victims of domestic violence, in general concurs with the views stated in the consultation paper in stalking. We believe that early intervention on stalking behaviors would prevent escalation into violence, which results in further damages onto the victims and sometimes the stalkers themselves.
2. Harmony House Ltd., established in 1985, provides a refuge for women and their children who are in immediate danger of domestic violence. In the past thirteen years of service, around 1,900 women and 2,150 children were admitted into our shelter. As indicated in the previous statistics, more than half of the women discharged from the shelter proceeded for divorce or separation. Although no concrete figures can be provided, some ex-residents did mention that the ex-husbands / partners continued to disturb them after separation or divorce.
3. These women had experienced various forms of stalking from their ex-partners like verbal threats through frequent telephone calls, loitering nearby the new residential place, waiting at the office and verbal assault in public. These behaviors may be symptoms of their unresolved anger directed towards the women due to ‘ loss of face’ in divorce or conflicts arising in children’s custody or access. These women do experience high level of stress, anxiety and tension as a result of these disturbances. Although these women did attempt to report to the police, for most of times, the police feel ‘unable’ to help them.
4. For the above situations, these victims of stalking cannot be protected in a more comprehensive way as the Domestic Violence Ordinance only deals with those still in couple relationship and its focus is on bodily harm. As stated in the Paper, stalking is not a single incident and should be viewed in continued manner and that the psychological impacts of the victims be taken into consideration.
5. To make stalking a crime, to great extent, fills the gap mentioned above and further protects the victims and prevents further outbreak of violence.

6. Making stalking as a crime is a step forward. However, we have other concerns in twofold: follow-up treatment and enforcement and operation of the law.
7. No matter the stalkers suffered from mental illness or not, imprisonment can only partially solve the problem of stalking by preventing the stalker to impose threats to the victims. A more in-depth intervention in terms of counseling and psychiatric treatment would certainly cure the problem and minimize the long- term social cost. We urge that the stalkers to receive compulsory counseling no matter they were put in jail or not.
8. Enforcement of the law on stalking is of our high concern. In the daily practice, police are usually the frontline professionals to decide which cases or whom they proceed for prosecution. Therefore, their assessment and judgement of whether the case is in criminal nature and whether it is worthwhile for prosecution is very determined in putting the case forward to court. Training for these professionals is extremely important.
9. Community education for the general public to inform them about the knowledge on the law for stalking and their right to be protected from it is also significant.
10. We appreciated that the Privacy Sub-committee has conducted a thorough search and drew references from the legislation in other countries such as Australia, Canada and England etc. We believe that the dedicated effort of the Sub-committee would make contributions to the society.