

Stalking / Intimidation

s.562AB (NSW) Crimes Act

s 562AB(1) Stalk or intimidate another person with the intention of causing the other person to fear physical or mental harm

Maximum penalty: 5 years

Commenced: 26.4.2000

Repealed: 12.3.2007

NAME (age if known)	OFFENCE	PLEA	SENTENCE	APPEAL	RECORD	SUMMARY
Atroushi [2001] NSWCCA 406	Stalking Possess loaded firearm	VG	4y NPP 3y 4y NPP 3y (concurrent)	Conviction AD		Kurdish background – stalked cousin when she refused to marry him – sat outside unit – argued with victim’s brother while armed with knife – found in possess of loaded firearm
Strong (2003) 141 A Crim R 56 NSWCCA	Stalking Intimidation Sched: Off language Custody of knife	PG	5y NPP 3y 4y NPP 3y <u>Total:</u> 8y NPP 6y Declared habitual criminal – 14y	AA 4y 6m NPP 2y 6m FT 3y <u>Total:</u> 7y NPP 5y Declared habitual criminal – 8y	Very bad record for sexual violence – commenced offences while serving prison term for sexual offences	Sent letters to female victim describing explicit sexual acts – passing acquaintance only – upon release moved opposite victim – wrote expressions of love on flag – watched and followed victim around – called out abuse to victim On appeal: fresh evidence as to mental disorder

This table has been prepared by the Public Defenders as a guide. Individual cases should be read if they are to be relied upon.

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Romano (22) [2005] NSWCCA 313	Intimidation AOABH	PG	FT 12m 2y NPP 18m Total: 3y NPP 2y 6m	AD	Significant record – breached parole	Arranged meeting with ex-partner to see 17m daughter – made threats to partner at park and on way to partner's house – assaulted partner's new boyfriend with club lock in company with two brothers Significantly disadvantaged childhood – protective custody
Lowe [2006] NSWCCA 10	Intimidation	PG	12m Suspended	AD		Offence committed against ex-girlfriend over 6 months
Rickard (34) [2007] NSWCCA 238	Intimidation Larceny	PG	2y NPP 18m Periodic Detention 6m Periodic Detention (concurrent)	AA 2y NPP 18m Periodic Detention Dismissed under s.10	Assaults on victim – breached bond	Victim broke up with offender and commenced relationship with another male – returned home with new boyfriend to find main switch turned off – offender entered house uninvited in absence of boyfriend – inspected every room in house then left with leather jacket belonging to boyfriend – jacket returned next day Depression
English (25) [2008] NSWCCA 134	Intimidation	PG	2y 8m NPP 2y	AA 2y 2m NPP 1y 8m	Lengthy record including robberies committed in similar circumstances	Approached South African student on train and asked for money – advised victim he had been released from prison that day and issued threats – apologised and left Disturbed childhood – genuine remorse

Last updated: 11.3.2019

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