

## 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**Repealed:** 12.3.2007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
1.	<b>Atroushi</b> <a href="#">[2001] NSWCCA 406</a>	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
2.	<b>Strong</b> (2003) 141 A Crim R 56 <a href="#">[2003] NSWCCA 123</a>	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.

	NAME (age if known)	OFFENCE	PLEA	SENTENCE	APPEAL	RECORD	SUMMARY
3.	<b>Romano</b> (22) <a href="#">[2005] NSWCCA 313</a>	Intimidation  AOABH	PG	FT 12m  2y NPP 18m  <u>Total:</u> 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
4.	<b>Lowe</b> <a href="#">[2006] NSWCCA 10</a>	Intimidation	PG	12m Suspended	AD		Offence committed against ex-girlfriend over 6 months
5.	<b>Rickard</b> (34) <a href="#">[2007] NSWCCA 238</a>	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
6.	<b>English</b> (25) <a href="#">[2008] NSWCCA 134</a>	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: March 2019