

## Stalking and harassment is a serious crime in Aotearoa New Zealand.

Stalking and harassment is a pattern of repeated and unwanted behaviour that undermines a victim's sense of safety and wellbeing. Examples of stalking and harassment include, but are not limited to:

- Watching or following you at home, work, university or school, including other places like shops, cafés, at church, the gym, or parks and events.
- Unwanted and repeated contact by text, social media, email, letter, or phone calls.
- Sending or delivering unwanted gifts like money, flowers, food, clothes, toys, or intimate items.
- Recording, tracking or spying on you using technology like spyware applications, location apps, dating apps, drones, hidden cameras or home security software.
- Damaging or interfering with property and taonga like household items, mobility equipment, pets, cars or your home.
- Damaging or undermining your reputation, opportunities or relationships by sharing personal details or spreading rumours about you to people you care about, or in your community like with employers, flatmates, landlords, sporting clubs, government organisations, or businesses including banks.
- Using other people or third parties to follow, hurt or control you. Some examples include using a company email, or cameras, to contact or watch you.
- Pretending to be you through fake social media profiles and communicating through messages, emails, and handwritten letters to others you may or may not know, or creating unwanted accounts or subscriptions under your name.
- Sharing private or personal information without your consent like your name, age, address, place of work, sexuality or gender identity, or creating fake altered content to generate images or videos of you (which may or may not be intimate).
- Acting in any way that is likely to cause fear or distress like recreating or referencing private moments only you would know or leaving bad reviews online about you or your place of work.

It doesn't matter if the person is a stranger, acquaintance, an ex-partner, a partner, or whānau member – this behaviour is illegal. In [law](#), the crime of stalking and harassment is defined as a pattern of behaviour where a person carries out any specified act towards another person on at least two separate occasions within two years, knowing their behaviour is likely to cause fear or distress.

Stalking and harassment can be hard to recognise as it can look different depending on culture, faith, age, setting, or relationship type. If you're unsure whether you've experienced stalking and harassment, you can seek advice from the Police or a lawyer. Community law centres and Citizens Advice Bureau may be able to provide you with free legal information. If you're not in immediate danger, you can contact a support service listed below.

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## The law now provides stronger protections against stalking and harassment behaviours

The Crimes Legislation (Stalking and Harassment) Amendment Act 2025 strengthens protections for people affected by stalking and harassment by:

- making stalking and harassment a crime punishable by up to five years' imprisonment
- preventing the person charged with a stalking and harassment offence (if self-representing) from cross-examining the victim
- at sentencing, allowing the courts to consider that stalking and harassment are serious behaviours
- allowing courts to grant restraining and harmful digital communication orders at sentencing (including when there has been a discharge without conviction)
- automatically removing an offender's firearm and/or private security licence at conviction and allowing the court to grant a firearms prohibition order.

## Legal protections that may help you

If you are in immediate danger, call 111 (if you need Police but can't speak for fear of harm, you will be asked to press keys for emergency assistance). You can call the Police non-emergency number on 105 if you think you are being stalked. Stalking and harassment behaviours should always be taken seriously as these behaviours often escalate. Police, lawyers, or support services can help you with the option/s that suit your individual situation the best.

### Available legal options include:

Name	Description
<b>Police stalking and harassment notice (issued by Police)</b>	<p>The Police can issue a stalking and harassment notice which lets the person know their behaviour is unacceptable, and if they continue the behaviour they may be committing an offence. If Police decide to prosecute after they have given a notice and the behaviour continues, Police can use the notice as evidence that the person knew their actions were causing fear and distress.</p> <p>There must be <b>at least one example</b> of stalking and harassment behaviour for Police to issue a stalking and harassment notice.</p> <p>Police must first tell the victim that they will be giving a notice to the offending person.</p>
<b>Police charge</b>	<p>If you make a report to the Police and there are two or more instances of stalking and harassment within two years, the person could be charged with the offence.</p>
<b>Restraining order</b>	<p>A legal document that sets clear rules that the offending person must follow, such as no contact. This option may apply if:</p> <ul style="list-style-type: none"><li>• you are being stalked and harassed by someone you do <b>not</b> have a close personal relationship with and</li><li>• the behaviour has happened more than once.</li></ul> <p>Restraining orders can be made through:</p> <ul style="list-style-type: none"><li>• Criminal sentencing of a stalking and harassment offence (<b>with two examples of stalking and harassment within two years</b>). You can go to Police to report the behaviour impacting you.</li></ul>

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	<ul style="list-style-type: none"> <li>The civil harassment court process (<b>with two examples of harassment within 12 months</b>). You can apply through the District Court.</li> </ul>
<b>Harmful digital communications order</b>	<p>A legal document that can require someone to:</p> <ul style="list-style-type: none"> <li>remove harmful content online</li> <li>stop posting or sending messages</li> <li>not encourage others to target you</li> <li>correct false information</li> <li>give you a right to reply</li> <li>publish an apology.</li> </ul> <p>This can apply to online harassment, abuse or threats. Harmful digital communication orders are available through:</p> <ul style="list-style-type: none"> <li>Criminal sentencing of a stalking and harassment offence (<b>with two examples of stalking and harassment within two years</b>). You can go to Police to report the behaviour impacting you.</li> <li>The civil harassment court process (<b>with two examples of harassment within 12 months</b>). You can apply through the District Court. If you go through the civil process, you first need to report the behaviour to <a href="#">Netsafe</a> who can help to resolve it or provide you with a Netsafe summary which you can use to support a court application.</li> </ul>
<b>Disposal and forfeiture order</b>	<p>This is a legal document that requires harmful or sensitive images or videos to be taken away or destroyed.</p> <p>The person who shared the content without consent must give them up and they lose any rights to keep the material.</p>
<b>Firearms prohibition order</b>	<p>This is a legal document that stops a person from getting or holding a firearms licence. They are also not allowed to own, use, or be around a firearm or related item.</p>
<b>Trespass notice</b>	<p>A warning notice telling someone to stay away from your home or private property. You, your employer, or Police can issue this if needed.</p> <p>You can visit your local Police station or download a copy of the <a href="#">trespass form</a>.</p>
<b>Police safety order (issued by Police)</b>	<p>Temporarily removes the offending person from the home and tells them to stop contact. It can be issued without the victim's consent if Police believe there is risk of family violence within the home.</p> <p>Police decide whether to issue this order. If they do, it can last up to ten days.</p>
<b>Protection order (Family Court)</b>	<p>A legal document that helps protect you, your children, and others named on the order from family or relationship-based harm.</p> <p>You can apply if you have (or had) a close personal or family relationship with the stalker.</p>

## How a case can end up in court

A case goes to court if someone reports behaviour to Police and Police decide to lay charges. During their investigation, Police gather evidence such as text messages, emails or witness statements. Once Police lay a charge, the case proceeds through criminal court.

Last Updated: 26/05/2026

However, not all cases involve the Police or the criminal court process. In some situations, a person may choose to apply directly for an order, such as a protection order, through the Family Court (a civil court) instead. Proceedings can happen in both the Family Court and the criminal court at the same time regarding the same stalking behaviour.

## Assistance and support during the court process

If Police decide to lay charges and the case goes to a **criminal court**, you can get support from a Court Victim Advisor. They are Ministry of Justice staff who explain your rights as a victim, what happens at each court stage, and provide other help like connecting you with other support services. They do not give legal advice. Their role is a free service focused on informing you about the court process.

If you decide to apply to **Family Court**, you can get support from a Kaiārahi (Family Court Navigator). They offer a similar, free, non-legal service focused on helping you understand the process and to help you feel supported.

If English is not your first language, or you find it hard to understand, a **free interpreter** can be arranged for you. If you need disability access or other support, you can talk to court staff, the police officer in charge of your case or your personal support worker. Courts must make reasonable changes to help you take part fully and safely.

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## Help and support is available

**Shine:** Family violence support service you can freephone 24/7 on 0508 744 633 or visit [2shine.org.nz](http://2shine.org.nz)

**Are You Okay:** Family violence support service you can freephone 24/7 on 0800 456 450 or visit [areyouok.org.nz](http://areyouok.org.nz)

**Women's Refuge:** Support service you can freephone 24/7 on 0800 733 843 or visit [womensrefuge.org.nz](http://womensrefuge.org.nz)

**Shakti:** Culturally specialist family violence services for Asian, African and Middle Eastern women victims and their children. You can freephone 24/7 on 0800 742 584 or visit [shakti.org.nz](http://shakti.org.nz)

**Safe to Talk:** A sexual harm support service you can freephone 24/6 on 0800 044 334, text 4334, or use their webchat service, visit [safetotalk.nz](http://safetotalk.nz)

**Victim Support:** General victims' support service you can freephone 24/7 on 0800 842 846 or visit [victimsupport.org.nz](http://victimsupport.org.nz)

**1737 Mental Health:** Wellbeing support service you can freephone or text 24/7 on 1737 or visit [1737.org.nz](http://1737.org.nz)

**Netsafe:** Approved harmful digital communication agency that supports victims of online harm. You can freephone on 0508 638 723, text 4282, or visit [netsafe.org.nz](http://netsafe.org.nz)

**Youthline:** Support service for young people, you can freephone 24/7 on 0800 376 633 or visit [youthline.co.nz](http://youthline.co.nz)

**What's Up:** Support service for Tamariki and rangatahi, you can freephone on 0800 942 8787 or chat online at [whatsup.co.nz](http://whatsup.co.nz)

**OUTline NZ:** A support service regarding sexuality or gender identity you can freephone on 0800 688 5463 or visit [outline.org.nz](http://outline.org.nz)

**Hohou Te Rongo Kahukura:** Provides mana enhancing support for Takatāpui and Rainbow survivors of sexual harm, visit [kahukura.co.nz](http://kahukura.co.nz)

**Free legal information** may be available from local Community Law Centres or Citizens Advice Bureau: [communitylaw.org.nz](http://communitylaw.org.nz) or [cab.org.nz](http://cab.org.nz)

**Find a lawyer:** [lawsociety.org.nz](http://lawsociety.org.nz)