

Stalking and harassment can escalate quickly and lead to serious harm

Stalking and harassment is a pattern of repeated and unwanted behaviour that undermines a victim's sense of safety and wellbeing. Stalking and harassment can be hard to recognise and can escalate quickly. Stalking and harassment can pose a significant risk of harm and should always be taken seriously.

Stalking and harassment can look different depending on culture, faith, age, setting or relationship type. It doesn't matter if the person is a stranger, acquaintance, an ex-partner, a partner, or whānau member – this behaviour is illegal. Anyone can be a victim of stalking and harassment, though it disproportionately impacts women.

From 26 May 2026 the law will better protect people from stalking and harassment

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
- confirming that the law applies regardless of the relationship between victim and offender, ensuring equal protection for victims of stalking by partners, ex-partners, acquaintances, or strangers
- recognising modern stalking methods such as using technology to track someone, online harassment, threatening or hurting others known to the victim (including pets) and using other people or organisations to intimidate or harass the victim
- enabling the Police to issue a stalking and harassment notice or to charge them immediately if the threshold for an offence, and if other prosecution considerations are met
- preventing the person charged with a stalking and harassment offence (if they are self-representing) from cross-examining the victim in court
- at sentencing, allowing the courts to consider as an aggravating factor 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.

The new laws work alongside existing provisions in the Harassment Act 1997, Harmful Digital Communications Act 2015, and the Family Violence Act 2018.

The legal definition of stalking and harassment in Aotearoa New Zealand

The new legislation refers to behaviours that may amount to stalking and harassment as “specified acts”. These can include if the person causing harm:

- watches, follows, loiters near or obstructs the victim
- records, tracks, contacts or communicates with the victim
- damages, devalues, moves, enters or interferes with the victim’s taonga or property (including pets)
- damages or undermines the victim’s reputation, opportunities, or relationships
- publishes any statement or other material that relates to, or is claimed to relate to, the victim
- acts in any way that would cause fear or distress to a reasonable person
- does any of the above either directly, or indirectly to another person in any kind of relationship with the victim.

A specified act may be done by or through any means (for example, tracking devices, digital applications, spyware, drones, or the use of artificial intelligence). 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.

Information for organisations supporting victim-survivors of stalking and harassment

If they are in immediate danger, call 111 (if they need Police but can’t speak for fear of harm, they will be asked to press keys for emergency assistance).

If they are not in immediate danger, they should report the stalking and harassment to the **Police non-emergency number on 105** or [report it online](#). The sooner they contact Police, the sooner they can get help.

If it’s safe for the victim to gather or collect, it’s useful for the police if the victim has a record of the stalking or harassing behaviour, this could include:

- a diary, photographs or security camera images that record the times and places where the person has been following them (including near their home or work)
- copies of text messages, emails, social media messages or posts
- gifts, notes, letters or objects left by the stalker.

The evidence should be stored in a safe place that the person causing harm cannot access. If it is not safe to keep evidence, give it to the Police straight away.

Organisations and safety programmes

The introduction of the new offence does not change who can take part in safety programmes. If organisations offer safety programmes and they have concerns that someone participating in a safety programme is experiencing stalking and harassment, existing safety concern processes should be followed.

What will happen next?

You can report concerning behaviour to the Police. Some of the options the Police can take include:

- **A Police stalking and harassment notice** – this can be given to the person causing harm after one instance of stalking and harassment to let them 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. Police can also prosecute without issuing a notice.
- **Charging the person causing harm with stalking and harassment** – this can happen if there are two or more instances of “specified acts” within two years and if other prosecution considerations are met.
- **A police safety order** – this can be issued if the police believe there is risk of family violence within the home. It requires the person causing harm to leave the home and tells them to stop contact for up to ten days.

At sentencing for stalking and harassment, the court can issue a sentence of up to five years’ imprisonment of the offender. Some of the orders the court could issue include:

- **A restraining order** – this is for victims who do not have a close personal relationship with the person causing harm. It is a legal document that sets clear rules that the person causing harm must follow, such as no contact with the victim.
- **A harmful digital communications order** – this is a legal document to help protect a victim from online harm, harassment or bullying. It can do things like tell the person causing harm to take down online content or correct false information they may have put online about the victim.
- **A disposal and forfeiture order** – this is a legal document that requires harmful or sensitive images or videos to be taken away or destroyed. The person who shared the content without consent must give them up and they lose any rights to keep the material.
- **A firearms prohibition order** – 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.

Options that do not require the victim to report the harm to the police include:

- **A restraining order under the Harassment Act 1997** – the victim can apply to the District Court directly if they do not have a close personal relationship with the person causing harm. This can be applied for if the victim has experienced two examples of harassment within 12 months. [More information about restraining orders](#).
- **A harmful digital communication order under the Harmful Digital Communications Act 2015** – the victim can [apply to the District Court for a harmful digital communications order](#). If a victim goes through the civil process, they first need to report the behaviour to [Netsafe](#) who can help to resolve it. If there is no resolution, Netsafe will send a Netsafe summary to the victim which they can use to support a court application for a harmful digital communication order. Netsafe can provide advice assistance on online harm regardless of whether a victim goes to the Police or through the courts.
- **A trespass notice** – a warning notice telling someone to stay away from your home or private property and is in place for two years from when it was given to the person trespassing. A victim, their employer, or Police can issue this if needed. A copy of the [downloadable trespass form](#) can be found on the Police website.

- **A protection order** – if a victim has a close personal or family relationship with the person causing harm, they can apply to the Family Court for a legal document to help protect them and their whānau from family violence. [More information about protection orders.](#)

Assistance and support during the court process

Depending on the circumstances, a victim has different pathways get assistance within the court process.

In the District Court:

- If there are criminal charges, the victim can get support from a Ministry of Justice staff member called a Court Victim Advisor. They can help the victim understand their rights, what happens at each court stage, and connect them with other support services. They do not give legal advice.
- If there are civil proceedings (for example if they are applying for a harmful digital communications order under the Harmful Digital Communications Act 2015) the victim can freephone the Ministry of Justice 0800 268 787 for help, or email or visit their local district court for assistance. They can also ask a lawyer for advice.

In the Family Court:

- The victim could get support from a Kaiārahi (Family Court Navigator). They offer a free, non-legal service focused on helping people understand and feel supported in the family court.

Help and support is available

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

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

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

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

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

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

Last updated: 26/05/2025

Hohou Te Rongo Kahukura: Provides mana-enhancing support for Takatāpui and Rainbow survivors of sexual harm, visit kahukura.co.nz

Help and support is available for people displaying concerning behaviour

Services like the below can provide help and support to people who are concerned about their own behaviour.

1737 Mental Health: Wellbeing support service you can freephone or text 24/7 on 1737 or visit 1737.org.nz

Change Is Possible: Support service for changing behaviours, you can freephone 24/7 on 0800 456 450 or webchat through changeispossible.org.nz

Are You Okay: Family violence support service you can freephone 24/7 on 0800 456 450 or visit areyouok.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

Legal information

Free legal information may be available from local Community Law Centres or Citizens Advice Bureau: communitylaw.org.nz or cab.org.nz

Find a lawyer: lawsociety.org.nz