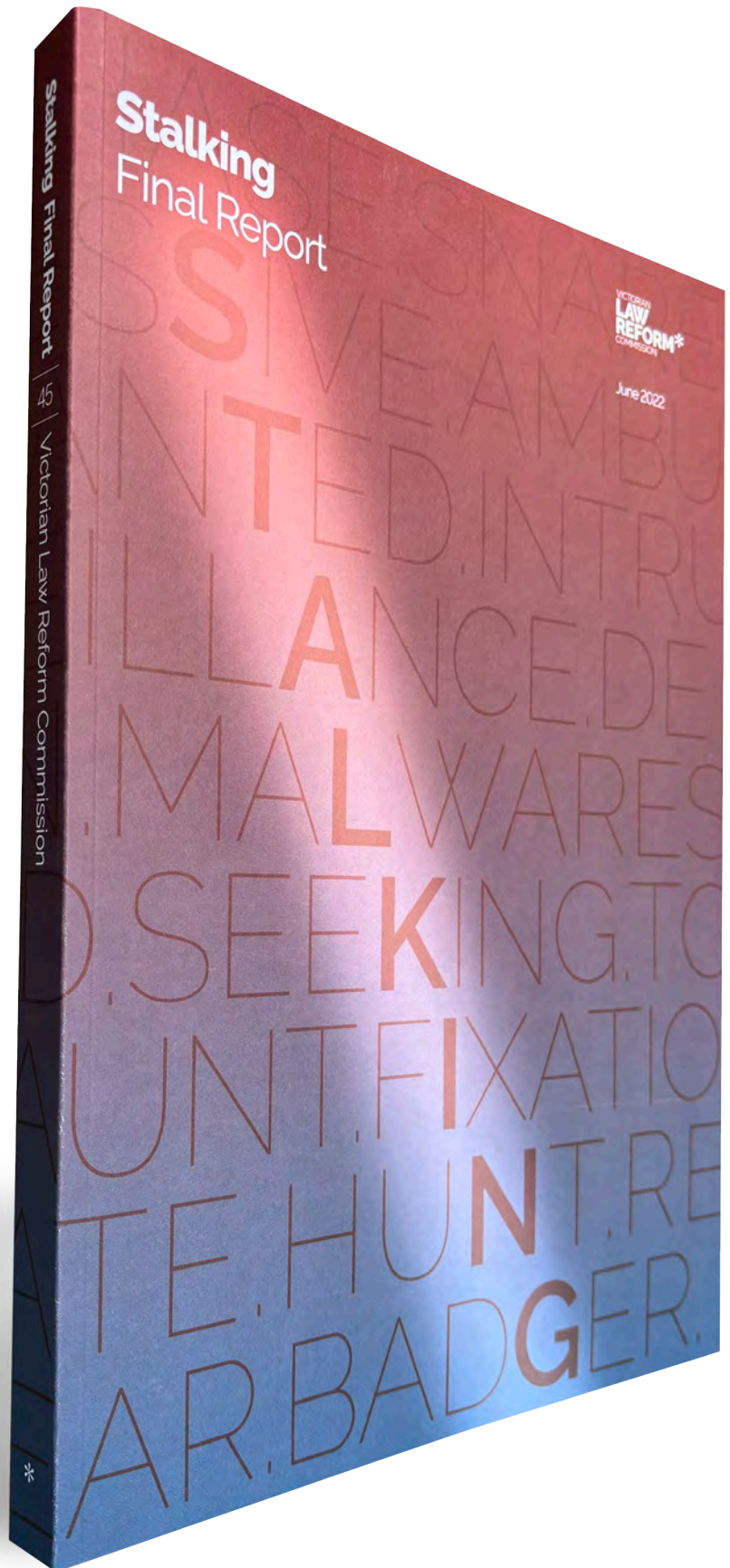


CASE STUDY
STALKING



Stalking is a criminal offence in Victoria, carrying a maximum penalty of 10 years' imprisonment. It involves repeated and targeted behaviours—such as persistent contact, monitoring or threats—that can cause fear, distress or harm.

Stalking can escalate into serious violence, homicide or suicide. Stalking is also grounds for a court to make a personal safety intervention order under civil law.

More than 25,000 stalking offences were recorded by police in Victoria in the 10 years to 2020. At least one in six women and around one in 15 men experience stalking.

The Commission was asked to review Victoria's stalking laws following the high-profile murder of a young woman by a man who had been obsessively stalking her for over a year. We examined how the justice system responds to stalking and recommended reforms to better protect and support victim survivors.

TIMELINE

17 February 2021 The Commission received the terms of reference from the Attorney-General and began the inquiry.	31 December 2021 The interim report, focused on the police response to stalking, was provided to the Attorney-General.	21 September 2022 The final report was tabled in Parliament and published.	amending section 21A of the <i>Crimes Act 1958</i> (Vic) to clarify the stalking offence.
24 June 2021 We published a consultation paper and invited people with lived experience of stalking to share their views. This included an online survey. We held 36 consultations and received 115 submissions.	6 April 2022 The interim report was tabled in Parliament.	30 May 2024 The Victorian Government announced it would make changes to the stalking offence in 2025.	10 February 2026 The <i>Justice Legislation Amendment (Family Violence, Stalking and Other Matters) Act 2026</i> (Vic) became law (and came into force on 26 April 2026).
	30 June 2022 The final report with 45 recommendations was delivered.	13 November 2025 The Government introduced a Bill to Parliament implementing two key recommendations from the Stalking report, including	

WHY DOES THE LAW NEED TO CHANGE?

Many people do not realise stalking is a crime, and those who seek help often face barriers within the justice system.

Stalking covers a range of behaviours, including persistent unwanted and intrusive contact, following a person, making threats, repeatedly messaging them, monitoring their social media activity or using technology to track them. It can involve actions that in isolation or another context would be legal but as a 'course of conduct' become a crime. However, a course of conduct is not clearly defined in the Crimes Act. This lack of clarity in the law makes it difficult to identify when stalking behaviour becomes a criminal offence, which affects how stalking is recognised, reported and prosecuted.

These problems were highlighted by the tragic death of Celeste Manno in 2020. Despite reporting the stalking to police on several occasions and obtaining a personal safety intervention order, she was murdered in her home. Her case exposed gaps in the justice system response to non-family violence stalking and demonstrated the need for law reform.

CASE STUDY

STALKING

Continued

The Commission's task

The Attorney-General asked the Commission to examine the Victoria's legal response to stalking, harassment and similar conduct, and the related use of Personal Safety Intervention Orders (PSIOs).

The terms of reference focused on non-family violence stalking and asked the Commission to consider:

- > what prevents the law from effectively responding to stalking
- > barriers to reporting for victim survivors
- > the operation of the PSIO system and how breaches are treated
- > how to improve the law and the justice system's response.
- > How the law can be strengthened to promote and enhance victim safety and wellbeing.

This inquiry was conducted in two parts.

The interim report focused on the role of Victoria Police in responding to reports of stalking.

The final report covered other aspects of the justice system, including intervention orders.

The Sentencing Advisory Council also produced three reports to inform the inquiry.

This was the first Australian inquiry into non-family violence stalking laws.

For the complete terms of reference visit lawreform.vic.gov.au

What did the community say?

Many people who had experienced stalking responded to our call to share their stories.

We heard that stalking is poorly understood by people experiencing it and those in the justice system that is meant to respond to it. Victim survivors often felt they were not taken seriously when they tried to report it. We heard that stalking behaviour gets charged as other offences, for example property or assault offences, which police might believe are easier to prove, or offences related to breaches of civil intervention orders.

We heard that stalking is often minimised or trivialised, and victim survivors are often expected to deal the situation on their own. This was especially common in cases of cyberstalking, where people were told to stop using their devices or get off social media.

We heard that the Personal Safety Intervention Order (PSIO) system was swamped with other cases, and non-family violence stalking matters often do not get enough attention. Many people felt unsafe, even after a PSIO was granted. We heard people who experience stalking need quick, practical and ongoing support which might be different to other victims of crime. For example, people experiencing cyberstalking may need help removing tracking software from their devices.

Overall, people said more public education about stalking is needed, and victims of stalking need to feel believed, supported and safe.

For more community responses, see the publication [Online Responses from People with Experience of Sexual Assault](#) on our website.

Report and recommendations

The interim report made nine recommendations to improve the capacity of police to identify investigate and effectively respond to stalking.

This included training for frontline and specialist police, making it easier to report stalking, setting up a specialist unit, and keeping better centralised systems for recording incidents and reports about stalking cases.

The final report made 45 recommendations aimed at strengthening the law and improving how the justice system responds to people who have experienced stalking outside family violence contexts.

Key recommendations include:

- > The *Crimes Act 1958* (Vic) should be amended to make the stalking offence clearer and easier to apply.
- > Victims should have easier access to financial and practical support, such as technology to prevent cyberstalking or funding for home security.
- > Victims should be supported by independent advocates to guide them through every stage, from reporting the stalking activity to accessing support services and any court actions.
- > The civil personal safety intervention order (PSIO) system should be improved, with guidance to help identify and prioritise stalking cases.
- > Courts should have the power to make interim intervention orders on behalf of victims during bail applications, similar to provisions in the Family Violence Act, where a need to safeguard the affected person was identified.
- > We need community education on stalking, and training about stalking for judicial officers and people who work in the justice system.

What happened next?

In May 2024, the Victorian Government announced that it would introduce changes to the stalking offence and improve the PSIO system.

In November 2025, the Government introduced legislation implementing two key recommendations of the Stalking report:

- > amending section 21A of the *Crimes Act 1958* (Vic) to better set out the elements of the stalking offence, and to clarify the meaning of 'course of conduct'* so that the offence of stalking is easier to understand and apply in practice (Recommendation 33). The amended definition applied the case law principle that a course of conduct is when a person engages in conduct on more than one occasion or conduct that that is protracted—and the conduct shows a continuity of purpose.
- > allowing interim Personal Safety Intervention Order to be made on the court's own motion. This will enable PSIOs to be made by the court, without requiring the person to make a separate application, increasing the court's ability to protect victim survivors. (Recommendation 26)

The *Justice Legislation Amendment (Family Violence, Stalking and Other Matters) Act 2026* was passed on 5 February 2026. The change to the stalking offence came into force on 26 April 2026.

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Visit lawreform.vic.gov.au and look under All Projects for more about this reference.