

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Repealed: 12.3.2007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.	Atroushi [2001] NSWCCA 406	Stalking Possess loaded firearm	VG	4y NPP 3y 4y NPP 3y (concurrent)	Conviction AD		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 Born to Kurdish parents in Iraq
2.	Strong (2003) 141 A Crim R 56 [2003] NSWCCA 123	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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3.	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
4.	Lowe [2006] NSWCCA 10	Intimidation	PG	12m Suspended	AD		Offence committed against ex-girlfriend over 6 months
5.	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
6.	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 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