The prevalence of stalking among teenagers and the effectiveness of criminal protection orders on stalking in the Netherlands

Quantitative and qualitative study on stalking victimization | C. van Geloven
The prevalence of stalking among teenagers and the effectiveness of criminal protection orders on stalking in the Netherlands

Quantitative and qualitative study on stalking victimization

Afstudeerscriptie Victimology and Criminal Justice

Cézanne van Geloven

Administratienummer: 74.20.00

Examinatoren: Dr.ms. S. van der Aa
Drs. MSc K.M.E. Lens

Tilburg, Augustus 2013
## Contents

Voorwoord ........................................................................................................... 4

1. Introduction .................................................................................................. 5
  1.2 Structure of the study ............................................................................. 8

2. Prevalence of stalking among teenagers in the Netherlands ..................... 11
  2.1 Background ......................................................................................... 11
     2.1.1 Central question ........................................................................... 12
  2.2 Research method .................................................................................. 12
     2.2.1 Population and sampling ............................................................. 12
     2.2.2 Data collection ........................................................................... 13
     2.2.3 Sample of analysis ..................................................................... 13
     2.2.4 Operationalization of variables .................................................. 13
     2.2.5 Statistical analysis ..................................................................... 15
  2.3 Results .................................................................................................... 16
     2.3.1 Social demographic background ................................................ 16
     2.3.2 Familiarity with the phenomenon of stalking ............................ 16
     2.3.3 Perceptions about stalking .......................................................... 16
     2.3.4 Involvement in stalking ............................................................... 17
     2.3.5 The stalker and duration .............................................................. 18
     2.3.6 Actions to decrease or stop stalking .......................................... 19
     2.3.7 Contact with the police and protection orders ........................... 19
     2.3.8 Prevalence of stalking among family/friends/acquaintances ...... 19
  2.4 Conclusion ............................................................................................. 20
  2.5 Study limitations and additional research ............................................. 21

3. Criminal protection orders in the Netherlands ........................................ 23
  3.1 Development of protection orders ...................................................... 23
  3.2 Definition of the protection order ....................................................... 23
  3.3 Different ways of imposing criminal protection orders ....................... 24
     3.3.1 Conditional suspension of pre-trial detention ("Schorsing voorlopige hechtenis") ............ 24
     3.3.2 Suspended Sentence ("Voorwaardelijke veroordeling") ....................... 25
  3.4 Enforcement .......................................................................................... 25

4. Research on the effectiveness of criminal protection orders in practice ...... 26
  4.1 Introduction .......................................................................................... 26
     4.1.1 Central question .......................................................................... 28
  4.2 Meaning of the effectiveness of a protection order ............................ 29
  4.3 Research method .................................................................................. 30
     4.3.1 Inclusion criteria .......................................................................... 30
The prevalence of stalking and the effectiveness of criminal protection orders

4.3.2 Recruiting respondents ................................................................. 30
4.3.3 Data collection ........................................................................... 31
4.3.4 Design of semi-structured questionnaire ..................................... 32
4.3.5 Analyzing the results ................................................................. 33
4.4 Results ......................................................................................... 33
4.4.1 Background stalking and stalking actions ..................................... 33
4.4.2 The motive for reporting the stalking .......................................... 35
4.4.3 The criminal justice process and outcomes ................................... 35
4.4.4 Victims experiences and satisfaction with the police .................... 37
4.4.5 The effectiveness of criminal protection orders ............................ 39
4.4.6 The advantages and disadvantages of criminal protection orders for the respondents 42
4.5 Conclusion .................................................................................. 43
4.6 Study limitations and additional research ....................................... 45
5. Conclusion .................................................................................... 47
5.1 How often are teenagers being stalked? ......................................... 47
5.2 What is the effectiveness of criminal protection orders according to stalking victims in the Netherlands? ........................................ 49
5.3 Additional research ....................................................................... 51
APPENDIX 1 English translation of the teenage students’ questionnaire ........................................ 53
APPENDIX 2 English translation of the semi-structured interview for victims of stalking ........................................ 58
APPENDIX 3 Description of the two stalking cases that dealt with criminal protection orders .......... 61
Bibliography ....................................................................................... 63
Parliamentary Documents .................................................................... 69
Voorwoord

Voor u ligt mijn scriptie ‘The prevalence of stalking among teenagers and the effectiveness of criminal protection orders on stalking in the Netherlands: Quantitative and qualitative and quantitative study on stalking victimization’. Deze scriptie is geschreven ter afronding van de Master Victimology and Criminal Justice aan Tilburg University. In overleg met mijn scriptiebegeleider ben ik tot het besluit gekomen om me te richten op het thema stalking. Hoofdreden hiervoor was dat ik vooral een vernieuwend onderzoek wilde verrichten. Stalking sloot daar precies op aan. Aan de hand van de opkomende aandacht voor stalking in Nederland en de groeiende vraag naar empirisch bewezen effectieve strafrechtelijke maatregelen die helpen het stalken te doen afnemen of eindigen, heb ik besloten me vooral te richten op de omvang van het probleem onder tieners en de effectiviteit van strafrechtelijke beschermingsbevelen in Nederland.

Ondanks het feit dat mijn achtergrond meer in de sociale kant ligt, vond ik het een uitdaging om me in dit onderzoek meer te richten op de strafrechtelijke kant. Dit was niet altijd gemakkelijk, maar desalniettemin ben ik tevreden met het eindresultaat. Dit onderzoek bevat verschillende aspecten betreffende de omvang van stalking en de effectiviteit van strafrechtelijke beschermingsbevelen in Nederland die het lezen waard zijn.


Veel dank gaat ook uit naar de medewerkers van het ‘Steunpunt Huiselijk Geweld’ Midden-Brabant die me geholpen hebben bij het vinden van geschikte slachtoffers voor dit onderzoek. Zonder hun hulp had deze thesis een hele andere wending gekregen en niet tot de behaalde resultaten geleid.

Als laatste wil ik mijn familie en vrienden bedanken voor hun steun en luisterend oor gedurende het schrijven van mijn scriptie. Zij hebben mij de moed gegeven om door te gaan. In het bijzonder wil ik mijn vriend, nicht en vriendin bedanken die me enorm geholpen hebben met de taal en grammatica.

Cézanne van Geloven (Tilburg, 02-08-2013)
1. Introduction

The Dutch legal system has a long tradition in the field of behavioral prohibitions and restrictions of freedom with only one goal: to protect the victim from violent or harmful situations. The attention on the phenomenon of stalking has increased in the past 15 years in the Netherlands. However, the phenomenon of stalking is still relatively unclear. More research is needed, for example, on the prevalence of stalking in the Netherlands.

For many years it was unclear how many victims of stalking there were in the Netherlands. The difficulty to give a general idea of the prevalence of stalking in the Netherlands has to do with the police record stalking cases and with the fact that there was no exact definition of stalking in the Netherlands before the 2000s (Van der Aa, 2010, p. 17). In the police database, a stalking case is often documented in the same category as the one regarding victims of domestic violence and not in a separate category (Verkaik & Pemberton, 2001; Malsch, 2000, p. 5). Therefore, it is hard to know how many stalking victims exist in the Netherlands.

Since 2000, there is a Dutch definition of stalking which can be found in article 285b of the Dutch Criminal Code (2000), which states:

“He, who unlawfully, repeatedly and willfully intrudes upon a person’s privacy with the intent to force that person to do something, to refrain from doing something, to bear something or to instigate fear in that person, will be punished, as guilty of stalking, by a prison term with a maximum of three years or a fine of the fourth category”.

An example of a stalker and his activities is someone who appears unexpected at a victim’s private domain, calls the victim or sends letters, e-mails or faxes. Other forms of stalking are sending unsolicited material to a victim, daubing the victim’s home, with mud or paint damaging the victim’s property or threatening and assaulting the victim (Purcell et. al., 2002).

Although having a definition created more clarity about stalking, even today, we do not know the exact numbers of stalking victims in the Netherlands, still partially due to the unclear registration system of the police (Malsch, 2009). Previous estimates, on the prevalence of

---

1 Article 285 of the Dutch Criminal Code.
2 A stalker can be a woman or a man. When in this study there is a reference to a stalker, the male reference is used. This does not mean that a stalker is always a man.
stalking victims, give a general idea of the amount of stalking victims in the Netherlands. One research showed that between seven thousand and two hundred thousand people a year are victimised by stalking in the Netherlands (Stichting Criminaliteitbestrijding Nederland). More recent research, where Van der Aa and Kunst (2009) surveyed the Dutch population on the annual Tilburg fun fair, showed that of 1027 respondents, 16.5% reported to have been stalked at least once in their lifetime. Nationally, this would mean that approximately 1.4 million persons have been a victim of stalking. It can also be concluded that there are potentially a lot of unknown stalking victims within the Dutch population.

On the other hand, several researches show that stalking is more frequent among teenagers and adolescents in comparison to older adults (Purcell et. al., 2002; Tjaden et. al., 2000). It even appears that younger people (under thirty years old) can be considered as a risk group (Van der Aa & Kunst, 2009, p. 40) and that females are most often victims of stalking (Budd & Mattinson, 2000, p. 141; Purcell et. al., 2002; Tjaden & Thoennes, 1998). More research is necessary to define the numbers of stalking victims among teenagers in the Netherlands.

Therefore the first part of this study intends to shed more light on the prevalence of stalking in the Netherlands by focussing on teenage students. A survey will be conducted among teenage high school students with the aid of a short questionnaire. It will roughly be establish how often teenagers are a victim of stalking and in what way teenagers are confronted with the phenomenon of stalking. This will be conducted according to the following central question:

**How often are teenagers victims of stalking?**

Due to the increased attention on stalking, the need exists for better measures to prevent and decrease stalking. This need appeared after the adoption of Article 285b under the Dutch Criminal Code (DCC), which aimed to provide victims of stalking an effective instrument to fight against stalking. With the help of article 285b of the DCC, street or contact bans could, for instance be imposed.

Before the introduction of article 285b of the DCC, the only solutions available to victims in order to prevent and intervene against stalking were civil protection orders and criminal prosecution on the basis of other crimes. Because this wasn't effective enough it led to a growing need, for the police as well as the victims, to have more effective methods to
intervene against or at least prevent further escalation in stalking cases (Kamerstukken II, 1997/98, 25, 768, no. 6, p. 10).

As a result, the anti-stalking law (‘De Wet-Belaging’) was adopted in 2000 and criminal protection orders came available to stalking victims as well to prevent continued harassing behavior. However, before the adaptation of law, a lot of criticisms and doubts about the implementation of the law appeared. Not only from the former Minister of Justice (Kamerstukken II, 1996/97, 25 000 VI, no. 40; Van der Aa, 2010, p. 18), but also from different political parties (Kamerstukken II, 1997/98, 25, 768, no. 6, p. 3). The main problem was that the effectiveness of the anti-stalking law was unclear and that there was a lack of empirical proof on whether it worked or not (Holtmaat, 1998).

Although a promise was made that the effectiveness of the anti-stalking law and criminal protection orders would be tested, to this day, no comprehensive research has been conducted towards the effectiveness of the criminal protection orders in the Netherlands. It is therefore still unknown what the exact effectiveness is.

Research that has been conducted on the effectiveness of criminal protection orders in other countries shows contradictory results, but it seems that criminal protection orders are effective for the reason that they lead to a reduction of risk of violence towards victims (Benitez et. al., 2010). Research that has been done in the Netherlands to investigate available protection orders was focused on the civil law procedures, e.g. the request for a civil protection order (Postmus, 2007), and not specifically on criminal protection orders. Other research only speculates about the effectiveness of the criminal protection orders. This makes it even more important to conduct an empirical study towards the effectiveness of criminal protection orders in the Netherlands.

Therefore the second part of this study investigates the effectiveness of criminal protection orders in real life by an explorative research. This will be done according to the following central question:

What is the effectiveness of criminal protection orders according to stalking victims in the Netherlands?
In measuring the effectiveness, there will be focused on the objective meaning of effectiveness: do criminal protection orders lead to a decrease or cessation of stalking? In addition, the subjective meaning will also be taken into account: what are victims’ feelings regarding to control and fear of retaliation after the imposed criminal protection orders? On top of that, stalking victims’ satisfaction with the criminal justice procedure will also be taken into account. The investigation will be conducted by interviewing stalking victims. The interview consists of several questions such as: do the current criminal protection orders work, do they lead to the expected results for the victim and do they keep the stalker at distance and for how long?

1.2 Structure of the study

The study consists of three parts.

Part I of the study deals with the prevalence of stalking in the Netherlands. In this part the results of the quantitative study on the knowledge, prevalence and nature of stalking among teenage students will be discussed. Chapter 2 (‘Prevalence of stalking among teenagers in the Netherlands’) highlights background information about the prevalence of stalking in the Netherlands focused on teenagers (Paragraph 2.1). Furthermore, the research method (Paragraph 2.2), results (Paragraph 2.3), conclusions (Paragraph 2.4) and limitations of the study are described, followed by several ideas about additional research (Paragraph 2.5).

Part II of the study deals with the legal framework of criminal protection orders in the Netherlands. Chapter 3 (‘Criminal protection orders in the Netherlands’) is meant as background information about the available criminal protection orders in the Netherlands. In Paragraph 3.1 (‘Development of protection orders’) the development of protection orders will be discussed. In addition, Paragraph (3.2 ‘Definition of protection orders’) focusses on the definition of protection orders in the Netherlands. Paragraph 3.3 (‘Different ways of imposing criminal protection orders’) focusses on various ways of imposing criminal protection orders. Finally, the enforcement (Paragraph 3.4 ‘Enforcement’) will also be discussed in more detail.

Chapter 4 (‘Research on the effectiveness of a criminal protection order in practice’) contains the qualitative results of the interviews with stalking victims on the effectiveness of criminal protection orders. This research will first of all give background information about the necessity of this study in Paragraph 4.1 (‘Introduction’). Before anything can be said about
the effectiveness of criminal protection orders, it is necessary to know what is meant by effectiveness. This will be outlined in Paragraph 4.2 (‘Meaning of effectiveness of a criminal protection order’). In addition, the research methods (Paragraph 4.3 ‘Research method’) are described, followed up by the results (Paragraph 4.4 ‘Results’) and respective conclusion (Paragraph 4.5 ‘Conclusion’). At the end, limitations of the study are described, followed by several ideas about follow-up research (Paragraph 4.6 ‘Study limitations and additional research’).

This study will finish with an overall conclusion in part III (Chapter 5 ‘Conclusion’), in which a summary will be given of the two studies that were carried out, together with ideas for follow-up studies.
Part I
2. Prevalence of stalking among teenagers in the Netherlands

2.1 Background
Out of various studies about the prevalence of stalking in the Netherlands comes forward that stalking is common among young people (Verkaik & Pemberton, 2001; Van der Aa & Kunst, 2009, p. 40; Purcell et al., 2002; Tjaden et al., 2000; Morris et al., 2002; Budd & Mattinson, 2000, p. 141). Tjaden and Thoennes (1998) show in their research about stalking in the United States (US) that stalking victims are more often below thirty years old (52%) than above thirty years old.

There could be some possible explanations as for why younger people have a greater chance of being victimized by stalking. One possible explanation could be that nowadays there are numerous ways to stalk young people because of their participation in new technical developments (Van der Aa & Kunst, 2009, p. 62), like the internet and mobile phones. Most young people have, for example, a smartphone, a Facebook page or are member of a chat box. Technical changes make it easier to stalk and to control a victim and offer the stalker more possible ways to stalk. Stalking can be more than just sending text messages or appearing at the victim’s home, it can take different forms like posting messages on Facebook and checking where the victim’s social activities take place. Because young people, like teenagers, are more used to technical changes, it can be expected that they have a higher chance to be involved in stalking and becoming a victim.

Social changes could be another reason for more stalking victimization and perpetration. Recent social studies indicate that people develop more individualistic values (Furlong & Cartmel, 2006) in which they think everything is possible and that they can have an unrestricted life. Due to social changes it is also accepted that people have multiple relationships in different ways, verbal and face-to-face, like through the internet or other media (Van der Aa & Kunst, 2009, p. 62). This increases the opportunity and also possible reasons to harass another person. Growing up with before mentioned social changes, such as having multiple different relationships, could increase the chance for teenagers of being victimized.

3 When involvement of teenagers in stalking is mentioned, it is meant that teenagers are victims of stalking and not that they are involved as a stalker.
In order to get deeper insight in young involvement in stalking it is necessary to do further research to clarify how often younger people are victimized.

2.1.1 Central question

In comparison to the above mentioned research, this study focuses only on the prevalence of stalking among teenagers to get a better impression on how often teenagers are being stalked. The central question is:

How often are teenagers being stalked?

The central question consists of the following sub questions:

a. How familiar are teenagers with the phenomenon of stalking?
b. What are teenager’s perceptions about stalking?
c. How often are teenagers victimized by stalking?
d. What was the duration of stalking and by whom are teenagers stalked?
e. What did teenagers do to decrease or prevent stalking?
f. How often did teenagers have contact with the police and has this resulted in protection orders?
g. What is the prevalence of stalking in teenagers’ surroundings?

An answer to the central question will be made clear by a survey among one hundred and forty-six teenage high school students. The research method will be outlined in Paragraph 2.2 (‘Research method’). The results of the research will be described Paragraph 2.3 (‘Results’). The research ends with a conclusion in Paragraph 2.4 (‘Conclusion’) and a few limitations of this study with ideas for additional research will be discussed in Paragraph 2.5 (‘Study limitations and additional research’).

2.2 Research method

2.2.1 Population and sampling

The target population was teenage people in the Netherlands. For practical reasons a convenience sample of Dutch teenage high school students with A-levels of Advanced Placement (‘4 VWO’) was used in the ages between fifteen and seventeen years old. No other distinction was made between teenagers because the goal was to get a general idea of whether teenage students know something about stalking or whether they ever have been victimized.
2.2.2 Data collection
Data was collected by disseminating a survey to one hundred and fifty-six teenage high school students. A total of one hundred and forty-nine actually filled in the survey. These teenagers visited Tilburg University for a special event and came from nine different high schools in the southern part of the Netherlands. The purpose of the teenagers visit was to get an impression of studying at Tilburg University. One of the elements of the day was a short lecture on the topic of stalking, provided by Tilburg Law Faculty. At the end of the lecture, teenagers were asked for their participation in this research, by filling in a survey. It was pointed out that the survey was private, anonymous and voluntary, and that there were no wrong answers.

2.2.3 Sample of analysis
Out of the one hundred and fifty-six high school students that were expected to attend the short lecture on stalking, a total of one hundred and forty-nine teenagers filled in the survey (N=149): a response rate of 95%. An explanation for the 5% lack of response could be sickness or last minute changes of teenagers between classes, resulting in a different seize of the class than previously expected. Also, some students may not have been willing to participate.

2.2.4 Operationalization of variables
The survey consisted of multiple questions and started with a number of basic questions to get socio-demographic information about the students - for example gender, age, living situation and nationality - followed up by a set of questions that defined their familiarity with stalking and its definition. Thereafter, the survey continued with a set of questions that defined the type of victimization of the teenagers. When students mentioned they had been victimized, additional detailed questions were asked about the prevalence, stalking behavior, the stalker, imposed protection orders and the role of the police. The final question for all students was whether they knew someone in their environment who had been stalked or was being stalked. The complete survey can be found in ‘Appendix 1’. The most important questions of the survey are described below.

Socio-demographic background

*Gender:* A distinction was made between male and female. Females are taken as the reference category. In total, there were 99 females and 50 males who participated in the survey.
The prevalence of stalking and the effectiveness of criminal protection orders

Nationality: Teenagers were asked about their nationality. The response categories consisted of: Netherlands (1), Turkish (2), Moroccan (3), Antillean (4) and, different namely… (5).

Familiarity with stalking

In order to find out how familiar high school students are with stalking, they were asked two questions. The first question was ‘Have you ever heard about stalking before this lecture?’ The response categories were yes (1) or no (2). The second question concerned the frequency they talked about stalking. The response categories were: never (1), sometimes (2), frequently (3) and often (4).

Perceptions about stalking

Before the teenage high school students were asked about their victimization, they were asked to define when unwanted behavior can be seen as stalking. They did this by answering the question: ‘How often does someone need to be harassed before you will see it as stalking?’. The response categories were: two times (1), three to five times (2), six to ten times (3) and more than 10 times (4).

Involvement in stalking

To find out if the teenagers have been or are victimized, they were asked whether they ever had come in contact with someone who continuously harassed them. This needed to be more than 10 times. The response categories were yes (1) and no (2).

A follow up question when a student had been victimized, was in what way they were harassed. This question consisted of broad response categories namely: The stalker sent text messages by phone (1) or e-mail (2), called (3), appeared in his/her street (4), pursued (5), spread gossip (6), insulted him/her (7), threatening (8), hitting (9) and as last the category different, namely; … (10). Multiple answers could be made.

The stalker and the duration of the stalking

To find out who the stalker was, students were asked the question by whom they are stalked. Response categories were: (Ex) boyfriend (1), family member (2), acquaintance (3), unfamiliar (4) or different, namely … (5).
To define how long teenagers were stalked, the teenagers were asked to give an impression of the duration of the stalking. Students had five possible response categories: one week (1), two weeks (2), three weeks (3), one month (4) or longer than one month (5).

**Actions undertaken to decrease or stop stalking**

In order to found out what students did to stop the stalking they were asked the question: ‘What have you done to stop the stalking?’ Four response categories were provided to the students: I had a conversation with that person (1), I ignored that person (2), I called my friends and family for help (3) or different, namely … (4).

**Contact with the police and protection order**

Sometimes the police can be involved in ceasing the stalking and have contact with the victim in this process. For this reason, one question concerned whether teenagers had had contact with the police. The response categories were yes (1) or no (2).

In addition, the teenagers were asked if the stalking had led to a street or contact ban. More answers were possible: yes a contact ban (1), yes a street ban (2), yes both protection orders (3) and none (4).

**Prevalence of stalking among family/friends/acquaintances**

To observe whether teenagers were familiar with stalking for other reasons, the prevalence of stalking in the surroundings of the students was questioned. The students had the possibility to mention if they knew someone in their surroundings who had been stalked. The answers provided to the students were: yes (1) and no (2). When the students knew someone, they had the possibility to name who it was, a friend (1), family member (2), acquaintance (3) or different, namely… (4).

**2.2.5 Statistical analysis**

This study provides a quantitative research about the prevalence of stalking victimization among teenage students. However, no controls, reference groups or longitudinal measurements were implemented in this study. Through statistical analysis an attempt was made to give an overall impression of the victimized teenagers of stalking. After an impression of the students in general, there was a focus on the students who indicated to be victimized.
2.3 Results

2.3.1 Social demographic background
Among the participated students there were more women (N=99) than men (N=50). Most students were fifteen or sixteen years old, with an average of fifteen and a half. Most of the students had the Dutch nationality (95%). The rest were individuals with the Turkish, Japanese, Korean, Russian, American or Croatian nationality.

2.3.2 Familiarity with the phenomenon of stalking
Only a small number of students (N=2) indicated never to have heard about stalking before the lecture at Tilburg University, meaning that 98% of the students had heard about stalking before the lecture.

Figure 1 illustrates that more than half of the students (N= 86, 57.7%) never talks about stalking with their friends or family. About one third of the students sometimes talks about stalking (N=48, 32.2%) and about 10% talks about it regularly (N=13) or very often (N=2).

![Figure 1: Talking about stalking under teenagers](image)

2.3.3 Perceptions about stalking
To the question on how often a person needs to be harassed before it can be seen as stalking, sixty teenagers answered ‘between six to ten times’. Close to this, namely forty-nine teenagers, answered ‘more than ten times’ before it can be seen as stalking. Figure 2 gives an overall impression of the teenagers’ opinion about how frequent unwanted behavior needs to take place before it can be seen as stalking.
The prevalence of stalking and the effectiveness of criminal protection orders

2.3.4 Involvement in stalking

Out of the one hundred and forty-nine teenagers only twenty-two teenagers indicated to be victimized (14.8%). A bivariate cross tabular analysis of the association between gender and stalking showed that the relation between these two elements is significant (see Table 1). Of these victimized teenagers, women were more likely to have experienced stalking.

Table 1. Gender cross-tabulated with stalking

<table>
<thead>
<tr>
<th>Gender</th>
<th>Prevalence of stalking</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes (N=3)</td>
</tr>
<tr>
<td>Male</td>
<td>6.0 %</td>
</tr>
<tr>
<td>Female</td>
<td>19.2%</td>
</tr>
<tr>
<td>Chi-square (p-value)</td>
<td>4.594 (0.02)</td>
</tr>
</tbody>
</table>

As mentioned, the survey consisted of a list of stalking tactics. Focusing on these tactics, the victimized teenagers indicated they had been victimized with eight out of ten forms mentioned in the survey. They marked to be harassed by getting text messages (N=10), getting e-mails (N=6), stalker appearances at his/her home (N=4), calls (N=3), physical following (N=3), gossiping (N=3) and insulting by the stalker (N=2). Stalking behavior like hitting and threatening were not indicated by teenagers as common stalking behavior. See Figure 3 for an illustration of the type of stalking activities the teenagers suffered from.
The prevalence of stalking and the effectiveness of criminal protection orders

2.3.5 The stalker and duration

Table 2 indicates that most teenagers marked that they had been or were stalked by their (ex) boyfriend. Stalking by other persons and acquaintances came second. The persons that teenagers mentioned under the category ‘Different person’ were: a person who she had met, someone from school, a boy she didn’t like and a teacher. No teenager mentioned that he/she had been stalked by a family member.

Table 2. Indicated stalker

<table>
<thead>
<tr>
<th>Stalker</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Ex) boyfriend</td>
<td>7</td>
<td>31.8</td>
</tr>
<tr>
<td>Family member</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Acquaintance</td>
<td>5</td>
<td>22.7</td>
</tr>
<tr>
<td>Unfamiliar person</td>
<td>4</td>
<td>18.2</td>
</tr>
<tr>
<td>Different person</td>
<td>6</td>
<td>27.2</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>22</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

Figure 4 shows that the duration of stalking in most cases lasted less than a month (N=15). Five teenagers mentioned one month, one teenager indicated three weeks and the other nine teenagers indicated a duration of one or two weeks. Nine teenagers mentioned to be victimized for longer than two months.
2.3.6 Actions to decrease or stop stalking
Looking at what actions teenagers undertook to stop the stalking, most of them indicated that they tried to ignore the stalking behavior (N=10). The other teenagers had a conversation with the stalker (N=5), asked family and friends for help (N=3) or undertook other actions to stop the stalking (N=4), such as hitting the stalker, sending threatening mails to the stalker with a fake account and blocking the person on social media sites and removing their own Facebook account. A few (N=5) teenagers added the comment on the survey that the actions to stop or decrease the stalking did not lead to the expected result.

2.3.7 Contact with the police and protection orders
Only one of the teenagers indicated that he has had contact with the police. The teenager was satisfied with the fact that the police had cooperated and that it had actually led to a decrease of the stalking activities. The teenager did not mention what the police had done to decrease the stalking. The stalking did not lead to a contact or street ban. The rest of the victimized teenagers indicated that they had no contact with the police and that the stalking behavior did not result in a contact or street ban. None of the students indicated on the survey why they did not contact the police or apply for a protection order.

2.3.8 Prevalence of stalking among family/friends/acquaintances
Figure 5 indicates that 37 (24.8%) teenagers had a friend, family or an acquaintance in their near surroundings that has been or is dealing with a stalker. Specifying the persons being stalked, it seems that they are mostly friends (N=23). In addition, acquaintances (N=9) and family (N=9) of the teenagers are or have been stalked. Three students mentioned that it was someone else (N=3), like a friend of an aunt. See Figure 5 for an overview.
2.4 Conclusion
This research gives a general idea about the prevalence of stalking among teenagers. The purpose of the study was to give an answer to the central research question: How often are teenagers being stalked?

It appeared that out of one hundred forty nine teenagers, twenty-two were victimized (14.8%), a number that seems quite high under such a young group. Out of this population of stalked teenagers, women (19.2%) reported to be stalked more than men (6%). The amount of women being victimized is in line with findings of other research, in which is mentioned that females have greater chance of experiencing stalking than men (Van der Aa & Kunst, 2009, p. 40; Spitzberg & Cupach, 2007; Tjaden & Thoennes, 1998b). Another possible explanation is that these differences can be attributed to different ideas that males and females may possess about defining themselves as stalking victims (Tjaden et al., 2000).

As for the duration of stalking, it turns out that most of the teenagers were stalked for less than a month (N=15). Apart from those, nine teenagers indicated that the stalking lasted more than two months. The long duration of stalking cases is also mentioned in other researches (Tjaden & Thoennes, 2000a).

Five teenagers mentioned that their actions to stop the stalking were not effective. Because of this, teenagers had questions on how to stop stalking, leading up to the impression that there can be a lack of information on how to stop stalking as far as these teenagers are concerned.
Besides the result about the prevalence of victimization among teenagers, this research also showed that most teenagers are familiar with stalking and its characteristics. Media attention can be a cause of this familiarity among teenagers. Teenagers are growing up with easy access to a broad range of information, like television and social media, which can affect the knowledge of teenagers about stalking.

In contrast with the high knowledge about the definition of stalking among teenagers, it is surprising that they almost never talk about stalking. A reason why teenagers almost never talk about it could be that most teenagers have never been victimized. The greater part has also never been confronted with stalking cases. In their surroundings there is no reason to talk about stalking.

Furthermore, the way teenagers define behavior as stalking is also interesting, because the law does not define stalking by a minimum number of actions. Therefore, the reaction of teenage stalking victims before they actually see behavior as stalking, can take time and this could lead to reporting the stalking behavior to the police at a later stage.

2.5 Study limitations and additional research
There are a few limitations in this study that need to be taken into account. One limitation is that there is no follow-up questionnaire provided to the teenagers. Without a follow-up questionnaire this study is not able to provide information about the long term. Besides this limitation, it needs to be taken into account that it is difficult to say whether teenagers have taken the survey serious enough.

More research is necessary to see what the reason is why teenagers are victimized, what actions lead to stalking and whether this has an effect on the seriousness of stalking cases. It is also good to look at why only one teenager had contact with the police to help him and why none of them asked for a street or contact ban. Because a fairly large group of teenagers has had experienced stalking it is important that more research is done on this topic. The effects of stalking and protection orders should be studied more, with the goal to create better preventive measures and to support victims. Therefore the next part of this study focusses on stalking victims who had obtained criminal protection orders. This to get a better picture of how criminal protection orders work, to test whether they have the expected results and whether criminal protection orders lead to a decrease or cessation of the stalking.
Part II
3. Criminal protection orders in the Netherlands

3.1 Development of protection orders
The Dutch legal system has a long history in providing protection to victims of crime. Imposing freedom restrictions to an offender already exist as of the 1915s. Media attention to stalking cases, for example cases involving celebrities and important political leaders, made clear that it was important for victims to have some sort of protection to prevent stalking and violation of their private space (Malsch, Visscher & Blaauw, 2002). Protection of victims was necessary because of the stalker’s obsession with his/her victim. Due to the obsession of stalkers, stalking victims have a considerable greater chance to be victimized for a second or third time than the average victim. As long as the offender keeps stalking, the victim remains under a constant threat. As a result, the Dutch anti-stalking law (‘De Wet-Belaging’) was created. This law criminalized stalking. Criminalization opened up new possibilities - in addition to the existing civil protection orders - for victims to obtain criminal protection orders. It was now possible to impose restrictions on the stalker by legal prosecution and to impose a criminal protection order. It was the start of providing better protection to stalking victims in the Netherlands (Malsch, 2004).

3.2 Definition of the protection order
A protection order is one of the most common ways to protect people from stalking and can consist, for example, of a street or contact ban. In case of a street ban, the stalker is forbidden to enter a specific area close to the victim, e.g. the street where the victim lives. In case of a contact ban, the stalker is prohibited to contact the victim in any way. This includes contacting the victim by telephone, appearing at the victim’s home, faxing or e-mailing. In the Netherlands specific protection orders that prohibit the offender to contact family of the victim, to study at a certain training institute or to live in a certain area (Hes & van Ringen, 1989, p. 96; Van der Aa, 2010) can also be imposed. Before exploring what forms of protection orders the Netherlands provides, it is first needed to explain what a protection order is.

The research of Van der Aa et. al. (2012) defined protection orders as follows:

“A protection order is a decision, provisional or final, adopted as part of a civil, criminal, administrative, or other type of legal procedure, imposing rules of conduct (prohibitions, obligations or limitations) on an adult person with the aim of protecting another person against an act which may
endanger his/her life, physical or psychological integrity, dignity, personal liberty or sexual integrity”.

It is the central definition of a protection order used in this research.

### 3.3 Different ways of imposing criminal protection orders

This research focuses especially on criminal protection orders. Therefore only different ways of imposing criminal protection orders will be highlighted rather than ways of imposing civil or administrative protection orders.

Criminal protection orders can be imposed in all phases of the criminal procedure in the Netherlands, for example as a condition to a conditional dismissal, conditional sentence or conditional release. As a result, criminal protection orders differ for example in the performance of the order, the character of the modality (measures versus penalty), the maximum duration and the immediate enforceability of the protection order. Research of Van der Aa et al. (2012) states that there are no less than fourteen legal provisions in the Netherlands within criminal law which can be the basis for criminal protection orders.

Two examples of imposing criminal protection orders on a stalker will be outlined briefly in the next paragraph. These examples are chosen, because in the research of Van der Aa et. al. (2012) it appeared that these two (suspension of preventive custody and suspended sentence) are commonly used in criminal procedures.

#### 3.3.1 Conditional suspension of pre-trail detention (‘Schorsing voorlopige hechtenis’)

Preventive custody consists of the possibility to keep the suspect under custody, before the court trial. However, Article 5 of the ECHR states that a suspect has the right to remain in freedom until the criminal procedure starts and that preventive custody needs to be avoided as much as possible. Therefore the Netherlands introduced the possibility of conditionally suspension of preventive custody. As for the preventive custody, only a judge can impose criminal protection orders (Bleichrodt & Decker, 2011, p. 18). The decision is left to the judge, who will evaluate the urgency of imposing criminal protection orders on the suspect. When the judge decides to impose criminal protection orders on the suspect, the alleged stalker is obliged to comply with it. The suspect is released from preventive custody under the condition that he adheres to the criminal protection orders. When the suspect violates the criminal protection orders, he is remanded into custody again (Stamhuis, 2007).
3.3.2 Suspended Sentence (‘Voorwaardelijke veroordeling’)

Conditional sentencing has a long history in influencing someone’s behavior for a longer period (art. 14a e.v. Sr). The conditional sentencing was used to be defined as a sentence since 1915. Nowadays it is a measure to break through criminal behavior and to avoid contact between the victim and the suspect (Kamerstukken II 2010/11, 32 551, nr. 3, p. 2 and 19.). To create a more effective and known conditional sentence, the contact and street ban were explicitly mentioned under this measure (Kamerstukken II 2009/10, 32 319, nr. 3, p. 6).

Focusing on the procedure to receive a protection order, a suspended sentence can be imposed when a suspect is found guilty. The suspended sentence can be imposed by the judge. The judge needs to specify what the desired requirements and conditions for the penalty are, but in practice this is sometimes left up to the probation officers (‘reclassering’).

3.4 Enforcement

Formally, the supervision of criminal protection orders is in the hands of the public prosecution service (PPS). However, the supervision of criminal protection orders is in practice delegated to the parole service (‘reclassering’) and the police. For example, the police can actively monitor the stalker’s compliance with the imposed criminal protection orders (Mein, p. 10, & Hartmann, 2004; Flight, Nauta, & Terpstra, 2011).

There are also other ways to supervise criminal protection orders like electronic monitoring or extra surveillance of the police. When the suspect violates criminal protection orders, this can be sanctioned.

When the suspect violates the supervision, there are different ways to react. The PPS can for example warn the suspect or the judge has the authority to change the conditions of the imposed criminal protection orders or to have the underlying penalty executed.

Nevertheless, it needs to be questioned if the supervision of the criminal protection orders really works as it should. Research showed that the victims themselves are mostly responsible for monitoring compliance and that it is often just a matter of waiting until something happens (Van der Aa, et. al. 2012).
4. Research on the effectiveness of criminal protection orders in practice

4.1 Introduction

In 2000 the criminal anti-stalking law was implemented (Malsch, 2004). The objectives were that criminalization should lead to a better stimulation of investigation by the police and that victims would benefit from the law because they would no longer need to face the stalker and would feel more supported by the government (Kamerstukken II, 1997/98, 25, 768, no. 6, p. 3). This would be done by creating possibilities for the criminal justice system to impose criminal protection orders on the stalker which would be controlled by the police. This should keep the stalker away from the victim and therefore provide more safety and protection for stalking victims.

After the implementation of the criminal anti-stalking law in 2000, there were doubts about the effectiveness of the new anti-stalking law and lack of empirical evidence. In fact there was no empirical evidence that the implementation of the criminal anti-stalking law did lead to a decrease or cessation of the stalking. Recently a study has been performed on the effectiveness of the criminal justice system, which suggested that the criminal justice response to stalking is relatively effective (Van der Aa, 2010, p. 132). However, this does not say anything about the effectiveness of criminal protection orders that are imposed within the criminal justice system. Until today, no study has focused on the effectiveness of criminal protection orders in the Netherlands. Therefore it is still the question whether stalking victims really feel safer with criminal protection orders and whether criminal protection orders really prevent, decrease, or cease stalking.

Research on the effectiveness of criminal protection orders that has been done in other countries shows mixed results. From an empirical literature review from Benitez, McNiel and Binder (2010) concerning the question ‘Do protection orders protect?’, appeared that especially when the criminal protection orders concern a stalking case, the risk increases of violation the orders (Meloy, 2001). In addition, Tjaden and Thoennes (1998) showed in their research that out of the 15,776 respondents who obtained criminal protection orders, more than 68 percent female stalking victims reported violation of criminal protection orders by their stalker. For male victims, more than 80 percent of the stalkers violated criminal protection orders. This indicates that most of the imposed criminal protection orders are violated by the stalker and are therefore not completely effective. Furthermore, in the research
of Spitzberg (2002) where 32 studies were analyzed on restraining orders, it appeared that the restraining orders were violated with an average of 40 percent. In a staggering 21 percent of the cases the stalking even got worse. Another empirical study showed that the presence of stalking behavior, in combination with for example intimate partner violence (Logan, Shannon, Cole, 2007), leads to an increased risk of violation of criminal protection orders (Meloy, 2001). However, a Finnish study generated a more positive result. From a random sample of 240 court and police stalking cases in which a restraining order had been issued, in 35 percent of the cases it appeared that the stalker violated the order (Häkkänen et. al. 2003).

Out of the stalkers who violated the criminal protection orders, a decline was found in the proportion of violent stalking actions and threats towards the stalking victims. Although criminal protection orders had no effect on stalking actions like making telephone calls, sending text messages or letters, making visits and keeping surveillance, it resulted in a decrease from 80 to 17 percent of the proportion of physical assaults towards the stalking victims (Häkkänen et. al. 2003).

Due to these mixed results a few things are still unclear. Firstly it is still questionable whether criminal protection orders really are effective, in the sense that they lead to a decline or cessation of the stalking. Of course, criminal protection orders are strengthened by penalty upon violation (Van der Aa, 2011). But, given the determination of certain stalkers and the sometimes ineffective follow-up by law enforcement officers, it is uncertain whether criminal protection orders are actually effective in practice (Van der Aa, 2011). Do criminal protection orders decrease or cease the stalking?

Secondly it is still doubtful whether it’s the judicial interference that leads to an end of the stalking or if other reasons are behind it (Morris, Anderson & Murray, 2002). A decrease or cessation of the stalking actions may also be caused by changes in circumstances. For example, the perpetrator may be involved in a new relationship or the new relationship of the victim may have ended, which may have affected the jealousy of the stalker (Van der Aa, 2010, p.106).

The mixed results of the mentioned studies and the fact that no research has yet been conducted about the effectiveness of criminal protection orders in the Netherlands, makes it urgent to analyze whether criminal protection orders in the Netherlands are as effective as expected. For this reason, this study is focused on the effectiveness of the criminal protection orders.
4.1.1 Central question

The aim is to verify the effectiveness of criminal protection orders, using an explorative research. The central question of this study is therefore:

What is the effectiveness of criminal protection orders according to stalking victims in the Netherlands?

In general, it can be stated that a criminal protection order is effective when it leads to the prevention or reduction of stalking behavior (Malsch, 2004; Van der Aa, 2011). This can be called the objective effectiveness of a criminal protection order. In verifying the effectiveness of criminal protection orders, it is not only important to look at the objective meaning, but also to take into account subjective factors that could influence the effectiveness of criminal protection orders for stalking victims. For example, if victims experience less fear as a result of criminal protection orders. Therefore this study will focus on the objective as well as the subjective effectiveness of criminal protection orders. However, in order to say something about effectiveness it is necessary, first of all, to know what is understood by the effectiveness of criminal protection orders in relation to stalking and what the content is of effectiveness. This will be outlined in Paragraph 4.2 (‘Meaning of the effectiveness of criminal protection orders’).

To measure the effectiveness of criminal protection orders, an explorative research will be done by interviewing stalking victims. The interview contains questions like: In what way are the victims satisfied with the criminal justice procedure and interventions imposed by the judge? Did the stalker follow the rules of criminal protection orders and what happened when the stalker violated these? How satisfied are stalking victims with the help and support of the police? Besides these questions, also the advantages and disadvantages of criminal protection orders will be discussed. A short outline of the questions and the way of selecting the stalking victims for the interviews will be discussed in Paragraph 4.3 (‘Research Method’).

The results of the interviews are highlighted in Paragraph 4.4 (‘Results’). In what way criminal protection orders can be seen as effective will be discussed in the Paragraph 4.5 (‘Conclusion’). Finally, this research will end with research limitations and suggestions for further research in Paragraph 4.6 (‘Study limitations and additional research’).
4.2 **Meaning of the effectiveness of a protection order**

Effectiveness can be measured by looking at the objective and subjective effectiveness. Criminal protection orders are completely effective when they lead to a cessation of the stalking. They are also considered effective if criminal protection orders need to result in a decrease or change of the stalking as regard to the frequency, nature and seriousness (Malsch, 2004; Van der Aa, 2011).

In addition, in measuring the effectiveness of criminal protection orders, it is also important to look at stalking victims’ feelings regarding control and fear of retaliation, called the subjective effectiveness. Firstly, criminal protection orders need to give stalking victims the feeling of being safe and protected. Secondly, criminal protection orders need to give them the feeling that the stalker has left them in peace (Van der Aa & Groenen, 2011; Tjaden & Thoennes, 1998) and of having their previous lives back. When above needs are met, it can have a positive influence on the victims’ perception of the effectiveness of criminal protection orders (Belknap & Potter, 2005). Therefore, the victims’ personal opinions about criminal protection orders are, next to the objective result, also important to take into account in measuring the effectiveness.

Besides the objective and subjective effectiveness as the results of the criminal protection order, the procedure in which criminal protection orders can be imposed on the stalker, is also important to take into account. Think, for example, of the following elements: the way victims are treated by the judge in criminal court, the care and support provided by the police, the police’s response (like arriving quickly), the opportunity to provide input in the criminal procedure, the feeling of being heard within the criminal proceeding, the acknowledgement of the person and the incidents and the information concerning prevention and explanation about the system that is offered to the victims (Boom & Kuijpers, 2008; Van der Aa, 2010, p. 136). But think also of other elements like the speed of the process, the outcome (e.g. arrest, punishment, material and immaterial restitution) (Rómkens & Mastenbroek, 1999).

Above mentioned elements are also important for the satisfaction of victims. Therefore, besides to the subjective and objective elements, the procedural aspects of the criminal justice system are also taken into account in the interviews with the stalking victims.
4.3 Research method

4.3.1 Inclusion criteria
The target population of this study was stalking victims in the Netherlands whose stalker had one or more criminal protection orders imposed against him. The respondents needed to meet the following criteria:
- Stalking victims’ cases needed to be dealt with in the criminal justice system no longer than eight years ago.
- Respondents needed to be eighteen years or older to participate.

No distinction was made between the background of the respondents; it did not matter whether the respondents needed to deal with stalking from an (ex) partner or from someone else. The reason for keeping the inclusion criteria as low as possible was to include as much stalking victims as possible in this research.

4.3.2 Recruiting respondents
In general it is complicated to make contact with stalking victims. To anticipate this fact and to find as many respondents as possible, the inclusion criteria for respondents to participate in this research were kept to a minimum and on top of that in collecting respondents everything possible was done. Two things were done to collect stalking victims.

First of all contact was made with the Domestic Violence Support Center (‘Steunpunt Huiselijk Geweld Midden Brabant’), a social organization that takes care and helps victims of domestic violence, sexual abuse and stalking. It is located in Tilburg, and is connected to an umbrella organization called Safety House (‘Veiligheidshuis’). The Safety House has, next to the Domestic Violence Support Center, contact with various other social support organizations in Noord-Brabant, for example ‘Slachtofferhulp Nederland’. The Safety House has looked into their cases to find stalking victims whose stalker had criminal protection orders imposed against them. In the end, two respondents wanted to cooperate with this research. Contact was made with these two respondents. The respondents consisted out of one male and one female stalking victim, both stalked by their ex-partner and living in Noord-Brabant.
Secondly, a convenience sample of the author has been used to find any stalking victims whose stalker had a criminal protection order imposed against them. Unfortunately no stalking victims met the inclusion criteria.

4.3.3 Data collection

Two stalking cases were used. One respondent was interviewed. This respondent was free to choose a location for the interview, so the stalking victim was in a safe and familiar environment and felt most comfortable. The respondent chose to have the interviews at his private home. With permission of the respondent, this interview was tape-recorded and later on transcribed.

To collect the data, a semi-structured questionnaire was used with open ended questions (see Appendix 2). A face-to-face interview was held in order to collect the majority of the information. In the interview it was possible to interact with the victim and to go deeper into stories which were relevant for the research. The respondent was interviewed using a basic set of questions, but there was room for elaboration when a relevant topic came up. Whether respondent accurately understood the question was not checked, but the questions were reasonably straightforward and the respondent showed no signs of incomprehension.

Before the start of the interview it was pointed out that there was no right or wrong answers, that the provided information would not be given to others and that the respondent would be kept anonymous in this research. The respondent was also informed about the goal and the corresponding topics of the interview.

The other stalking victim, however, was not able to have a face-to-face interview due to personal circumstances. The decision was made to use a case study about her experiences with stalking, created almost three years ago, with additional information through e-mail contact. The case study had been made as a reaction to a campaign for a cessation of domestic violence (Montulet & Spijkerman, 2010). The case study combined with the additional information by e-mail covered enough information to be able to use the same semi-structured questionnaire for this research.

In the end, one interview and one case study were used as a result of contacting the Domestic Violence Support Center.
4.3.4 Design of semi-structured questionnaire

The interview was based on a semi-structured questionnaire. The questionnaire consisted out of five different phases: background information about stalking and the respondents, motivation for contacting the police, the imposed criminal protection orders, the period after the imposed criminal protection orders, an evaluation and finally characteristics of the respondents. The complete outline of the questionnaire can be found under ‘Appendix 2’.

**Background information about the stalking and the respondents**

In the first phase of the interview, questions concerning the history of the stalking, background of the stalker and stalking actions. These questions were asked to get a better view of the stalking cases and in what condition the stalking took place.

**Motive contacting the police**

After the background information on the stalking, questions were asked about the motivation for contacting the police and what stalking action(s) resulted in this decision. The goal of this phase was especially to get more information about how stalking victims experienced the process before the criminal protection orders had been imposed.

**The imposed criminal protection orders**

This phase of the questionnaire was meant to make clear which criminal protection orders were imposed on the stalker and whether the stalking victims were satisfied with the criminal process and the eventually imposed criminal protection orders.

**Period after the imposed criminal protection orders were imposed**

In order to shed some light on the period after the criminal protection orders had been imposed and their effectiveness, questions were asked about the violation and experiences of the stalking victims with the legal measures.

**Evaluation**

The final phase of the questionnaire was meant as an evaluation by the stalking victims on the imposed criminal protection orders. The goal of these questions was to get an impression of whether the respondent thought that the criminal protection orders had been effective or ineffective for him/her and for what reason. To achieve this goal questions were asked about whether the respondent’s expectations were met and whether the victim was satisfied with the
imposed criminal protection orders. On the other hand, the advantages and disadvantages of these legal measures were discussed with the respondent and the procedure that led up to criminal protection orders.

**Characteristics of the respondents**

At the end of the interview, several questions were asked about the characteristics of the respondents, like their age, relationship with the stalker, whether the stalking victim and the stalker had children together and whether they have a new relationship.

### 4.3.5 Analyzing the results

To analyze the interview and case study, the following two things were done. First of all, the interview was transcribed according to the semi-structured questionnaire. Secondly, although the case study was set up in a different way, it was also transcribed to the questions of the semi-structured interview. This was possible because the case study covered the same topics as the interview. By transcribing the interview and case study, the answers of the respondents could be compared with each other.

Next to this, it needs to be kept in mind that the results of the two respondents cannot be generalized to the overall population of stalking victims. However, considering that the main goal of this study was to give a first overview of the effectiveness of criminal protection orders, this was not a major obstacle for this study.

### 4.4 Results

#### 4.4.1 Background stalking and stalking actions

**4.4.1.1 Background and reason the stalking started**

One female and one male respondent participated in this research. The stalking started, for both respondents, after a break-up of their relationship with their ex-partners. The respondents were married with the stalkers, and needed to deal with several relationship troubles such as arguing, controlling behavior and threats, before ending the relationship. One respondent had children with the stalker. The other respondent also had children; however, these were not from the stalker but from a previous relationship. Troubles in the relationships of both

---

4 In describing the results, parts of the interview and case study will be used as an illustration and elaboration to the answers. The examples are translated in the best possible way by the author.
respondents and the fact that children were involved, led to an unsustainable situation and the decision to end their relationships.

For one respondent there were already stalking symptoms during their relationship, such as controlling, threatening and following of the respondent. These stalking activities became worse after the break-up. For the other respondent, the stalking started after their break-up.

It appeared from the interview and case study that both stalkers were patients of a psychiatric institution called Mental Health Care (‘Geestelijke Gezondheids Zorg’, GGZ). The stalkers had problems to let go of the old situation, wanted to control the situation, did not want to realize that the relationship was over or were not satisfied with this situation and wanted to regain their relationship with the stalking victims.

4.4.1.2 Duration and stalking activities

The duration of the stalking activities was hard to define for the respondents, for the reasons that in both cases the stalking activities were still going on. In one case, the stalking has been going on for three years at the moment of the interview; in the other one, for one and a half years. There were fluctuations in the frequency of the stalking. Sometimes the stalking was worse than other times, but there was no cessation of the stalking in the last couple of years.

The respondents mentioned the following actions of stalking: calls, text messages, appearing at the victim’s home, posing threats and giving unwanted presents. The number of stalking actions was numerous; think of more than a hundred text messages in one day consisting of emotionally manipulating threats. For one respondent the threats were more serious than for the other. Besides text messages, the stalker called several times a day, following the respondents everywhere they were going and appearing frequently at the stalking victims’ home with intimidating intentions. The respondents could not give an exact number of stalking actions. There were just too much stalking activities at one day, which made it very hard to reproduce an exact number.

“I was stalked around a hundred times a day. And then I’m only talking about the text messages that the stalker sent to me, not even about the appearances at my door and threats.”

4.4.1.3 Contact with a social support organization

Both respondents indicated to have contact with a social support organization, namely the Domestic Violence Support Center (‘Steunpunt Huiselijk Geweld’). Contact with this social support organization consisted of advice about how to react to stalking activities, how to
register and document the stalking actions for evidence collection purposes and what organization could help to deal with the emotional consequences. The opinion about the added value differed between the respondents. One of the respondents thought the support was useful in the sense that the social support organization gave advice about how to control and react to the stalking activities and they provided support by advising where to get emotional help. The other respondent however, thought that contact with the social support organization was meaningless. Although they gave the respondent a lot of advice about how to react to the stalking, in the end this was not useful for the fact that it did not decrease, prevent or lead to a cessation of the stalking.

4.4.2 The motive for reporting the stalking

Although stalking went on for years and the victims got used to it, the respondents eventually made the decision to report the stalking. This was inspired by one or more coherent incidents. Both respondents mentioned that the stalking actions became more serious in the way that they led to increased feelings of fear and not being safe. Another reason to report the stalking was its long duration. One respondent felt mad and hopeless because of the situation. The respondents experienced the stalking actions as annoying and just wanted to be left alone. Both respondents wanted to have rest to recover from the emotional threats and a decrease or cease of the amount of text messages from the stalkers. They just wanted a cessation of the stalking.

“The stalking activities drove me insane, which was why I reported the crime. At one moment the stalker stood at my door and came in without me opening. Me and even the children found it so annoying and were afraid of the stalker’s behavior. That hurt my feelings so much, that I decided to go to the police.”

4.4.3 The criminal justice process and outcomes

4.4.3.1 Duration of imposed criminal protection orders

The respondents were not specific about how long it took before the criminal protection orders were imposed on the stalkers. The only thing they mentioned was that it took a few weeks and that it went fast, in their sense. In general the respondents were satisfied with the relatively fast process within the criminal justice system.

4.4.3.2 The imposed criminal protection order

From the contact with the respondents it appeared that they did not know much about the imposed criminal protection orders. One respondent mentioned that the criminal protection
orders were imposed by the judge. However, it could be derived from the respondent’s story how the criminal protection orders were imposed and what the conditions were. In both cases a suspended sentence with a special condition was imposed by the judge.

In both cases, the special conditions of the suspended sentence for the stalkers consisted of a street and contact ban. The street ban prohibited the stalkers to come nearby the victims’ home and work place. The respondents could not mention the exact radius of the street ban. The contact ban restricted the stalkers from contacting the respondents.

The respondents were asked about the duration of the criminal protection orders, but they were not sure about this. In general they mentioned that the duration of the criminal protection orders was three years or longer, indicating that they were not aware of the actual duration or of the fact that another criminal protection order was imposed as a condition to a suspended sentence.

4.4.3.3 Delivered information about criminal protection orders

Although the respondents had heard about a criminal protection order, the content of it was unclear. They simply did not know what they could expect from criminal protection orders. Therefore both respondents were satisfied with the information the PPS\(^5\) provided about the content of the criminal protection orders and their rights and duties when criminal protection orders are violated. Only one respondent explained that he got little information on the criminal protection orders. It was explained what the imposed criminal protection orders meant and what to do when they were violated. However, the respondent could not remember if the PPS told the duration of the criminal protection orders. More information should be provided about this element.

“The PPS called me personally after the criminal protection orders were imposed on the stalker. The judge informed me about content of the criminal protection orders and what I needed to do when the stalker violated the order and kept on stalking. The consequence would be that the police could arrest the stalker immediately.”

---

\(^5\) The respondents were not sure by whom they were called, the police, PPS or judge. This did not become clear during the interviews. However, this was probably the PPS, so that is how it is labeled.
4.4.4 Victims experiences and satisfaction with the police

4.4.4.1 Contact with the police

In both cases, at first the police was reluctant about these cases. The police thought the cases were not serious enough and wanted to have more proof of the stalking actions. Therefore the first contact moments with the police needed to come from the respondents themselves and it took a while before the police came into action. The respondents came up with several reasons for the delay of action of the police.

The police thought the cases were not serious enough at first sight and advised the victims to go home and collect evidence. However, after a while, when the respondents kept on reporting stalking activities, the activities got worse and victims collected enough evidence to prove the police the seriousness of their cases, so the police came into action. The police interrogated the stalker, reacted to a stalking action after a report of the victim, visited the stalking victims’ home to check if everything was alright and even arrested the stalker and kept him in custody for a few days.

"Because the stalker kept on going and due to the fact that I made a report of it every time led to a reaction by the police. The police arrested the stalker and took the stalking actions more seriously afterwards, what eventually led to five days of detention for the stalker."

It appeared furthermore from one respondent that contact with the police decreased the stalking activities for a few days. The respondent thought that the police frightened the stalker, by threatening with an arrest, what led to less serious stalking actions. For two or three days the stalker only sent text messages or called. However, the action of the police did not lead to a cessation. Approximately three days later, the frequency of text messages, phone calls and appearances at the victim’s home started all over again.

"The actions of the police at least made sure that the stalker appeared less frequently at my door for a few days."

4.4.4.2 Satisfaction with the police

First of all, the respondents indicated to be disappointed in the police because it took a while, and much effort of the stalking victims themselves, to convince the police. They hoped the police would have come in action earlier, and that less input from the victims would have been necessary.
When the police finally took the respondents seriously, the respondents mentioned to be satisfied with the cooperation of, especially, the local police. The respondents had frequent contact with the local police, and they came every time the respondents reported a crime. The local police advised the respondents to report the crimes and to keep the text messages as proof. The local police watched the stalker and were familiar with the previous stalking actions. The respondents were especially satisfied with the use of one contact person of the police, because the victims did not need to tell the whole story again and again, each time a new incident occurred. This contact person was for both respondents their local policeman, which supervised the respondents’ neighborhood. When something happened, the local police came to the respondent immediately.

“I’m satisfied with the local policeman (‘wijkagent’). For several months, I had weekly, non-stop contact with the police and especially the local policeman. He absolutely took me seriously. But in the beginning, the police thought it was nothing. But when the local policeman told me I needed to keep reporting the stalking activities and go to the police every time to report the crime, I had the feeling they were really going to take action.”

4.4.4.3 Victims satisfaction with the police after the imposed protection order

From the respondents’ answers, it appeared that they had no expectations about the police before criminal protection orders were imposed. When criminal protection orders were imposed, the respondents suddenly had a few expectations of the police. The respondents expected the police to react when criminal protection orders were violated.

Both respondents indicated that the police complied with their needs. Every time the respondents reported violation of criminal protection orders, the police responded in the way that the local police went to the stalkers to talk with him/her by giving a warning, or to take the stalkers into custody if he would not stop. The respondents, however, were surprised that the police interrogated the stalkers over and over again, kept visiting the stalkers at home and eventually arrested the stalkers and keeping him/her in custody for a few days, after stalking actions happened. These reactions were beyond the respondents’ expectations.

Nevertheless, the respondents also mentioned one point of improvement, namely that the follow-up procedure, when the stalkers violated the order, was too lenient. The police could have acted faster, in the sense that the local police should have given fewer warnings but
needed to take the stalkers into custody earlier, so that the violation could be punished. In addition, also for this phase, the respondents mentioned to be satisfied with having a single contact person. This was still the local police.

4.4.5 The effectiveness of criminal protection orders

4.4.5.1 Verifying the compliance with the imposed protection orders

The respondents made it clear that it seemed to be hard for the stalkers to comply with their criminal protection orders. Although the criminal protection orders resulted in a decrease of stalking activities such as appearing at the victim’s home and sending threatening presents, they were unable to cease stalking actions such as calling, texting and following. One stalker violated the criminal protection orders more often than the other stalker; especially the contact ban was violated frequently. The stalkers found new ways to follow the respondents and controlling them like calling anonymous more frequently. Another way was calling family or friends of the stalking victims to check where they were.

“The stalker followed the criminal protection orders for the greatest part. When the stalker violated the order, the police came into action and the stalking decreased again for several days. When the stalker violated the protection order, this was only with text messages and e-mails. She did not appear on the doorstep anymore.”

4.4.5.2 Role of the police in controlling criminal protection orders

It seemed to be difficult for the police to control the stalkers’ activities and to find evidence of violations of the criminal protection orders. In case of text messages and e-mails, proof is easy to collect. However, when it concerns anonymous calls or appearances at the respondents’ home it is harder to find proof. There needs to be a witness who has seen the action of the stalker.

When a stalker violated criminal protection orders, usually the local police made contact with the stalker to verify the reports. The local police also visited the stalker’s home after each violation to make clear that the stalking needed to stop and if not, the stalker would have serious problems. In other words: the local police insisted the stalking stopped or other measures would follow. In both cases, the stalkers would be arrested and be kept in custody upon violating the order. In one case this already happened.
4.4.5.3 Victims’ satisfaction with the criminal justice system and criminal protection orders

In the criminal justice process, victims had the feeling that the judge checked all evidence they provided and listened to their needs. For stalking victims it was important to get recognition about the seriousness of their case. The respondents were glad that something was finally being done about the stalking.

However, the respondents mentioned they got used to the stalking actions over the past years. When the stalking activities decreased as a result of criminal protection orders, this already gave the respondents mental rest. Although they had hoped that the criminal protection orders would lead to a cessation, they were both satisfied with mentioned decrease in stalking activities. However, one respondent found that in his case the criminal protection orders needed more elaboration. The reason for this was that the stalker had a contact ban that prohibited the stalker from contacting the respondent. But the fact that they had children together made this difficult. Although several arrangements were made about how to have contact regarding the children, the stalker was unable to resist the temptation. Therefore stalking activities partially continued even when it was not allowed. In this case a contact ban and the content of it was, according to the respondent, not the most practical criminal protection order.

“It was hard to have a no contact restraining order with two children. There were arrangements made about how to have contact regarding the children. This was only allowed by e-mail and the subject should be the children, nothing else. Everything else in the stalkers head, needed to be put away. That didn’t turn out as expected. I could have made four hundred reports more, but at a certain moment I just felt hopeless.”

4.4.5.4 The influence of other elements on the effectiveness of criminal protection orders

Apart from criminal protection orders, one respondent mentioned there were also other elements that decreased the stalking activities. The respondent mentioned the lack of having a car for the stalker, the threats made by the police to take the stalker into custody, having peace with the situation and a better possibility for the respondent to deal with the situation.
4.4.5.5 Victims’ feelings of safety and control with criminal protection orders

There were mixed results when it concerned the effect of criminal protection orders on the feelings of safety for stalking victims. One respondent indicated to feel safe, but when it concerned the children this seemed to be different because the children did feel unsafe.

“I never felt unsafe. It is just a sad feeling to get so many text messages every day. Unsafe feelings were not present. It is more the children. The youngest one is even afraid to cycle to school alone, because there is a chance he runs into the stalker. For me, that was worse than getting those amounts of text messages every day.”

The other respondent asked for an AWARE (Abused Women’s Active Response Emergency) system which needed to increase the feelings of safety. The AWARE system is a small electronic box that can be used by stalking victims to get more control over their lives. When stalking victims are threatened by stalkers, they can push a button so the alarm goes off. When this happens the police receive a report of it and needs to respond immediately. This is a measure to make the victims feel more safe and to have more opportunities to effectively deal with stalkers (Steunpunt Huiselijk Geweld, 2012).

This respondent was satisfied with the AWARE system in the way she felt safer and had a possibility to contact the police easily when the stalker would threaten her again. For the respondent it was important that when something would happen, the police would be there in a few minutes. This enhanced the feeling of safety.

“This system gives me rest and a feeling of safety, which is very important to me. It exonerates my environment, because not only me but also my friends, family and neighbors have had a hard time.”

Both respondents came to the conclusion that the criminal protection orders did not give them more control over the stalkers. They did not think this was possible. The stalkers do whatever they want to do.

Finally, the respondents were asked about their fear that the stalking reoccur in another relationship. For one respondent this fear was still there, together with the fear that the stalking would get worse again. Especially the emotional manipulation had much impact on the stalking victim. It seems to take a lot of time and years before the stalking can and will lead to a cessation. Therefore it seemed to be hard for at least one stalking victim to deal with
the aftermath. The continued stalking activity makes this impossible. For the other respondent this seemed to be different. This person already had another relationship and was not afraid the stalking would happen in another relationship. So far, the respondent’s new relationship was going well.

4.4.6 The advantages and disadvantages of criminal protection orders for the respondents

4.4.6.1 Advantages and disadvantages

The advantages the respondents mentioned of criminal protection orders were, first of all, that they resulted in a decrease of stalking activities. Second of all, the criminal protection orders resulted in a feeling of safety and rest in the way the stalking actions were less frequent and intense on their emotional well-being.

A disadvantage of the criminal protection orders was the lenient follow-up procedure of the police when a violation took place. The measures of the police should have been tougher and stricter after the stalkers violated criminal protection orders. In addition, for one respondent the criminal protection orders were not sufficient enough to overcome his/her fears that the stalking would become worse again.

4.4.6.2 Success factors and recommendations

According to both respondents, a success factor of the criminal protection orders was the rapid criminal procedure. In addition, both respondents were satisfied with having one contact person at the local police and the response of the police after reporting violations of the criminal protection orders.

A recommendation for the police in controlling the criminal protection orders is, according to the respondents, that the police should intervene earlier after fewer warnings for the stalkers. Additionally, the respondents had several concerns about the measures taken after a violation of criminal protection orders occurred. Respondents mentioned the stalkers needed to pay a fine or go into detention when he was in violation of the criminal protection orders, but respondents doubted whether these measures would be effective. When stalkers have psychological problems or are traditional stalkers, they do not mind to go into detention for a few weeks or to pay a fine.
A final recommendation was made to improve the content and layout of various criminal protection orders to make it feasible for the stalkers to follow the order, because a contact ban and having children with the stalker can lead to temptation for the stalker to keep on stalking.

4.5 Conclusion

This research gave a first explorative overview of the effectiveness of criminal protection orders. The purpose was to answer the central question: What is the effectiveness of criminal protection orders according to stalking victims in the Netherlands?

To get an answer as for the effectiveness of criminal protection orders, this research first looked at the objective meaning of the effectiveness of criminal protection orders and followed up with looking into the subjective meaning.

Considering the objective meaning of the effectiveness of criminal protection orders, this research demonstrated that, as a result of criminal protection orders, a decrease in stalking appeared regarding the frequency, nature and seriousness of stalking actions. The respondents received less frequent text messages or phone calls. The nature of the stalking actions changed in the way that there was a decrease in the extent to which the stalking actions were perceived as threatening towards the respondents at their private home and therefore also the seriousness of the stalking actions decreased. However, criminal protection orders did not lead to a cessation of the stalking.

The subjective meaning of effectiveness takes into account the feelings of stalking victims with regard to control, fear of retaliation and other victims’ needs. Looked at the subjective meaning of the effectiveness of criminal protection orders, this research firstly demonstrated that criminal protection orders were not effective with regard to stalking victims’ feelings of controlling the stalking activities. The respondents indicated that, even with criminal protection orders, they did not have a feeling of control over the stalking actions. Secondly, considering the stalking victims’ fear of retaliation, it seems that this subjective element was only partly effective. One respondent indicated that, although the criminal protection orders were imposed on the stalker, she had fears of retaliation. Thirdly, considering victims’ desire to be safe and protected, to be left alone and having their lives back, this research showed that the respondents felt safer and more protected thanks to the imposed criminal protection orders. However, for the victims’ wishes of having their old lives back and being left alone by the stalkers, the criminal protection orders only had a slight positive effect. This partial positive effect can be explained by the fact that both respondents mentioned that criminal
protection orders had not stopped the stalking and that they are still being stalked by their ex-partner and also that criminal protection orders did not lead to feelings of having their old lives back and being left alone by the stalkers yet. However, both respondents mentioned that, because of a decrease in the frequency, nature and seriousness of stalking, they were getting their normal lives back. It therefore seems that in the long run criminal protection orders are effective for stalking victims to get their previous lives back and a feeling of being left alone by the stalkers. Further research is necessary to verify this.

Besides the objective and subjective effectiveness this research also took aspects of the criminal justice system, like the procedure and follow-up measures of the imposed criminal protection orders into account, in order to see whether criminal protection orders satisfy victim’s procedural needs. On the one hand, this study demonstrated that stalking victims were satisfied about the following elements: the way the judge treated the victims, the speed of the process, the care and support of the police, the stalking victims’ feelings of being heard in the criminal proceeding and generally the information provided to the stalking victims about the content of the criminal protection orders. On the other hand, this study also showed that there was room for improvement. First of all, stalking victims were not completely satisfied with the police’s response. Although the police arrived quickly when the respondents reported a violation, the police could have acted more strictly and accurately when the stalkers violated the criminal protection orders. Secondly, the respondents had concerns about the effectiveness of the measures against the stalkers after violating criminal protection orders, like a penalty payment or imprisonment. According to the respondents these measures were not serious enough to prevent stalking activities or to lead to a cessation of stalking in the future. It needs to be considered that the stalkers in this research had mental health problems and therefore might not understand the wrongfulness of their actions. As a result they might not be perceptive of the consequences of violating the protection orders. Better results could perhaps be realized by using interventions, more specific to the case. For example in these cases: more intensive mental treatment.

Overall, it can be concluded that, although criminal protection orders did not lead to a cessation of the stalking, the objective measures of effectiveness are met due to a decrease in frequency, nature and seriousness of stalking actions. However, criminal protection orders are only partly effective in the subjective way, because the victims’ needs were not completely fulfilled. Furthermore, procedural aspects of the criminal justice system are for the larger part satisfactory to victims, however, there are still a few improvements to be made.
4.6 Study limitations and additional research

There were some limitations to this study that need to be taken into account. The first and main limitation of this research was that it was difficult to find respondents for this research. Therefore this study was only based upon two appropriate respondents. It is not possible to generalize these results to all victims that have dealt with criminal protection orders with only two respondents who participated in this study. It is necessary to find more stalking victims who have dealt with criminal protection orders to actually say something about the general population.

A second limitation of the study was that the information was gathered in two different ways. In one case, due to personal circumstances, it was only possible to get information about criminal protection orders through a case study, not a face-to-face interview. However, both ways (an interview and case study) covered more or less the same topics and only differed in the way questions were formulated and described. On the other hand, because the purpose of this study was not to generate quantitative data on the effectiveness of criminal protection orders but merely to give a first impression of the effectiveness and in what way victims were (dis)satisfied with criminal protection orders, this is a limitation with minimal influence.

More research is necessary to see whether stalking victims in general are indeed satisfied with criminal protection orders like concluded in this study. Furthermore, specifically for the interview questions about victims’ expectations of criminal protection orders, it seems better to broaden and specify the questions and divide them into sub-categories, to get a better view of what victims’ ideas really are of criminal protection orders.
Part III
5. Conclusion

The Dutch legal system has a long tradition in the field of behavioral prohibitions and restrictions of freedom with one goal: to protect the victim from violent or harmful situation like stalking. Although the attention on the phenomenon of stalking has increased in the past 15 years in the Netherlands, the phenomenon of stalking is still relatively unclear in the Netherlands, especially compared to research about stalking in other countries. More attention on stalking in the Netherlands is needed to discover the problems of stalking, the prevention of stalking and finally to develop effective measurements leading to a decrease or cessation of stalking.

For a long time it was unclear how many victims of stalking there were in the Netherlands, partial due to unclear registration by the police (Malsch, 2009). The first objective of this research was to shed more light on the numbers of stalking in the Netherlands, by focusing on the prevalence of stalking among teenage students. To do this, the following research question was specified:

1. How often are teenagers being stalked?

After the increased attention on stalking, the need appeared for better measurements to prevent, decrease or cease stalking actions. As a response, the anti-stalking law was set up, criminalizing stalking. However, until today no research had been done on the effectiveness of interventions under this new law. There is a lack of empirical research (Holtmaat, 1998) that confirms the effective working of the criminal protection orders that accompany the anti-stalking law. Therefore, besides the prevalence of stalking, the second objective of this study was to reveal the effectiveness of criminal protection orders in the Netherlands. This objective was specified by the following research question:

2. What is the effectiveness of criminal protection orders according to stalking victims in the Netherlands?

5.1 How often are teenagers being stalked?

The prevalence of stalking in the Netherlands was measured with an empirical study among teenagers. The study took place during an event for high school teenagers at Tilburg University. First of all, the teenagers were allowed to self-define their victimization. It turned out that, out of the total group of teenagers (N=149), a number of twenty-two teenagers were victimized by stalking (14.8%). Female students (19.2%) reported to be victimized more than
The prevalence of stalking and the effectiveness of criminal protection orders

male students (6%), what was in line with previous results in other research that found that females have a greater chance of experiencing stalking than men (Van der Aa & Kunst, 2009; Spitzberg & Cupach, 2007; Tjaden & Thoennes, 1998b). The stalking actions consisted of receiving text messages (N=10) or e-mails (N=6), stalker’s appearances at the victim’s home (N=4), receiving phone calls (N=3), physical following (N=3), gossiping (N=3) and insulting by the stalker (N=2). Stalking behavior like hitting and threatening were not indicated by teenagers as stalking behavior that they had experienced. For most of the teenagers, the duration of stalking lasted for less than a month (68.2%). Only nine teenagers mentioned to have been victimized for more than two months. Talking with the stalker or asking him or her to stop was not seen as an effective measure to stop the stalking.

It turned out that only one of the twenty-two victimized teenagers indicated to have had contact with the police. The one teenager, who had contact with the police, was satisfied with their cooperation. It even turned out that the cooperation with the police resulted in a decrease of the stalking activities. There were no questions about why the other teenagers did not contact the police and which actions of the police led to a decrease of the stalking actions for the teenager who did have contact with the police. More research on these two elements is necessary.

The stalking did also not lead to the imposition of a contact or street ban for any of the victimized teenagers. Three possible explanations can be given for the fact that only one teenager mentioned to have had contact with the police and that no stalking resulted in a civil or criminal protection order. First of all, it can take time before teenagers actually see behavior as stalking. Only after six or more incidents (N=60) they define certain behavior as stalking. This result was not expected, because the law has set no minimum of actions before it can be seen as stalking. This can lead to the fact that reporting the stalking behavior to the police is done at a very late stage or is not done at all. The lack of knowledge about stalking can be a second explanation: students don’t realize that repetitive (‘stelselmatig’) unwanted behavior is in fact stalking. Finally, the results can also mean that victimized teenagers had no information about the way they needed to react to the stalking, and the measures that could be taken. This could have led to the finding that almost no contact of victimized teenagers with the police had occurred. More research is necessary to verify these explanations.

Apart from the occurrence of stalking among teenagers, they were also asked about their knowledge of stalking. For example, it turned out that out of one hundred and forty-nine
teenage high school students, almost all students indicated to have heard about the phenomenon of stalking. In contrast to this, the teenagers almost never talked about stalking. It could be that most of the teenagers were never confronted with stalking themselves and therefore had no reason to talk about stalking. However, out of these teenagers, 28.8% mentioned to have a friend, family or acquaintance in their near surrounding that had been or was dealing with a stalker. It suggests that, although most students were never victimized themselves (N=127), stalking appears quite often in their surroundings. It was not clear whether there was a positive correlation between the appearance of stalking in the teenagers’ surroundings and their knowledge and conversations about stalking. Further research is necessary.

5.2 What is the effectiveness of criminal protection orders according to stalking victims in the Netherlands?

This study provided an explorative research towards the effectiveness of criminal protection orders by interviewing one stalking victim and using one case study of a stalking victim. In measuring the effectiveness, the objective and subjective effectiveness and the victim’s satisfaction with the criminal justice system were taken into account.

By objective effectiveness for criminal protection orders is meant: the extent to which criminal protection orders result in a decrease, change or cessation of the stalking with regard to the frequency, nature and seriousness. Concerning the objective effectiveness, it turned out that criminal protection orders led to a decrease of the frequency, nature and seriousness of stalking activities. However, it needs to be kept in mind that criminal protection orders were not able to cease the stalking.

By the subjective effectiveness is meant: stalking victims’ feeling of safety, control and fear of retaliation. According to the subjective effectiveness, it turned out that victims did report an effect on their feelings of being safe and protected. But the interviews also yielded less positive outcome. One respondent, for example, mentioned that the fears for retaliation did not decrease after the criminal protection orders were imposed on the stalker. Next to this, criminal protection orders should lead to feelings of being left alone by the stalker and of having their old life back. Although the two victims had feelings of being left alone by the stalker and of getting their old lives back, these feelings were not completely met. The reason for this was that, although the frequency, nature and seriousness of stalking actions decreased,
the criminal protection orders did not lead to a complete cessation of the stalking and the stalking victims were still confronted with stalking actions. Therefore, the mentioned elements were only partly positively effective. Furthermore, it turned out that criminal protection orders were not effective for stalking victim’s feelings of controlling the stalking activities. According to the stalking victims it was impossible to control the stalkers’ behavior in any possible way.

As for elements of the criminal justice system that can influence the satisfaction of victim’s (procedural) needs about criminal protection orders, mixed results appeared. It turned out that stalking victims were satisfied about the following elements: the way the judge treated them, the feeling of being heard in the criminal proceeding, the speed of the procedure and the general information that was provided to them about the content of the criminal protection orders. The victims were especially satisfied about the recognition of the judge. However, they were less satisfied about the cooperation of the police, before the criminal protection orders were imposed on the stalkers. It took stalking victims much time and effort to convince the police about the seriousness of the case, before the police reacted. When the victims finally convinced the police to come into action, the police’s interventions led to a decrease of the stalking for several days. A positive element for both respondents was the fact that they had only one contact person, a local policeman. This counts for the period before and after the imposed criminal protection orders. Besides this, the stalking victims were also positive about the police’s care and support after the criminal protection orders were imposed on the stalkers, especially the care and support of the local policemen.

When considering the results of this research, other elements that concern the victims’ satisfaction also need to be taken into account to say something about the effectiveness of criminal protection orders. First of all, according to the respondents in this research, the police could have handled the violation of criminal protection orders more strictly and accurately. The police visited the stalkers several times when they violated the order. During those visits, the local police made it clear that the respective stalker needed to cease the stalking actions, otherwise further measures would be taken. Unfortunately, many warnings were issued before further measures were taken.

Second of all, the respondents had concerns about the effectiveness of the measures that were imposed on the stalkers after violating criminal protection orders, such as a fine or
imprisonment. The doubt of the respondents was that, when it concerns a traditional stalker, consequences of violating criminal protection orders are not enough to cease the stalking for the long term. The question remains whether the provided consequences for violating criminal protection orders will make the stalkers realize that their actions are wrong and that they need to stop. Therefore, more research is necessary to see whether criminal protection orders are effective in the long run and whether more case specified measures are necessary to cease the stalking. Especially in these two cases, where both stalkers had mental health problems.

In general it can be stated that criminal protection orders are to a large extend effective; however, there are still improvements to be made.

5.3 Additional research

There are some recommendations to make for additional research, both for part I as for part II of this research.

Part I of this study concerned the prevalence of stalking among teenagers. First of all, for further research it could be interesting to investigate what the reason is why teenagers are victimized, what actions in fact led to the stalking and whether these actions had an effect on the seriousness of stalking cases. Second of all, it remained unclear why almost no teenagers had contact with the police or asked for a civil or criminal protection order. Further research is needed to indicate what could be an explanation of these results. Interesting is also to find out what measures the police actions consisted of for that one teenager and whether these measures were the same as for adult stalking victims or not. Finally, it is necessary to find out why most students know about stalking but almost none of them talk about it or know what to do when they are victimized. Is this because there is a lack of information or are other reasons behind this?

Part II of this study concerned the effectiveness of criminal protection orders. First of all, it is important for further research to find more stalking cases in which criminal protection orders were imposed, in order to see whether the results from the two victims can be generalized to all victims. This is also important to verify whether victims in general are indeed satisfied with criminal protection orders as it seems to be in this study. Second of all, it seems better to broaden and specify the questions used for the interview and to divide them into subcategories, in order to get a better view on the victims’ expectations of criminal protection
orders. Finally, a longitudinal study could be interesting to see whether criminal protection orders are effective in the long run, whether the measures upon violation of criminal protection orders can lead to a cessation of the stalking, whether stalking victims indeed get their old lives back as expected and whether they have an absolute feeling of being left alone by the stalkers.

Generally speaking, it is important to understand that more research is urgently needed on these two topics. The effects of stalking should be studied more, with the goal to create better preventive measures and to support victims.
APPENDIX 1
English translation of the teenage students’ questionnaire

Question 1: What is your gender?
   o Male
   o Female

Question 2: What is your age?
………

If you do not want to participate, could you please mention why?
   o Too personal
   o Don’t feel like it
   o Other reason(s), namely….

Question 3: What is your living situation?
   o I’m living with my parents
   o Independent housing
   o Different, namely ………

Question 4: What is your nationality?
   o Dutch
   o Turkish
   o Moroccan
   o Antillean
   o Different, namely; ………

Question 4: Have you ever heard about stalking before this lecture?
   o Yes
   o No
Question 5: Do you ever talk with friend/family about stalking?

- Never
- Sometimes
- Regularly
- Very often

Question 6: How often does someone need to be harassed before you will see it as stalking?

- 2 times
- 3 – 5 times
- 6 – 10 times
- 10 times or more

Question 7: Have you ever come into contact with someone who continuously harassed you (like calling, mailing, What Sapp, and texting etcetera)? (If not, go to question 19.)

- Yes
- No

Question 8: in what way were you harassed? (More answers possible.)

- The stalker send text messages by phone
- The stalker send e-mails
- The stalker called me
- The stalker appeared in my street
- The stalker pursued me
- The stalker spread gossip about me
- The stalker insulted me
- The stalker threatened me
- The stalker hit me
- Differently namely; ............
Question 9: Who harassed you?

- (Ex-) boyfriend
- Family member
- Acquaintance
- Unfamiliar
- Differently namely; ...........

Question 10: How long were you stalked?

- One week
- Two weeks
- Three weeks
- One month
- Longer than two months, namely; ...........

Question 11: What have you done to stop the stalking?

- I had a conversation with that person
- I ignored that person
- I called in my friends and family for help
- Differently, namely; ...........

Question 12: Have you had contact with the police? (If not, go to question 16.)

- Yes
- No

Question 13: How was the cooperation of the police?

- The police cooperated insufficient
- The police cooperated sufficient
- The police cooperated well
Question 14: Did the contact with the police lead to a decrease or cessation of the stalking?

- No
- Yes (If yes, in which way?)
  - It led to a cessation of the stalking.
  - It led to a decrease of frequently stalking
  - The stalking was less serious

The police, public prosecutor or judge can impose a street or contact ban when a stalking victim feels unsafe. The stalker is prohibited to contact the stalking victim or to appear close to the stalking victim’s home or neighborhood. It is possible, in practice, that one of the protection orders will be imposed or a combination.

Question 15: Did the stalking lead to a street or contact ban? (More answers are possible. If not, go to question 19.)

- Yes, a contact ban
- Yes, a street ban
- Yes, both
- No  protection order has been imposed

Question 16: Did the protection orders result in a decrease or cessation of the stalking?

- No
- Yes
  - If yes, in what way?
    - It led to a cessation of the stalking
    - It led to a decrease of the frequency of stalking
    - The stalking behavior was less serious

Question 17: Did you feel safe with a contact or street ban?

- Yes
- No
Question 18: Do you know family or a friends/acquaintance who has dealt with a stalker? (If not, go to the end of the questionnaire.)

- Yes
- No

Question 19: Who in your surrounding had to deal with a stalker?

- Friend
- Acquaintance
- Family
- Different namely; ...........

If you have dealt with a stalker and this resulted in a contact or street ban or when you know someone in your near surrounding who dealt with a stalker, I would like to invite you for a follow-up interview. The goal of the interview is to make clear how protection orders work and what can be improved. If you want to participate in the follow-up interview, please fill in your contact details below.

Name:
E-mail address:
Telephone number:
APPENDIX 2

English translation of the semi-structured interview for victims of stalking

a. Background information about stalking and the respondent

*Can you tell something about the background of the stalking?*

1. Can you describe when you were stalked for the first time?
2. Of what stalking actions consisted the stalking? Can you tell something more about the frequency, nature and seriousness of the stalking?
3. Did you make contact with a social support organization before criminal protection orders were imposed on the stalker to solve the stalking yourself?

b. Motive contacting police

*When did you report the stalking for the first time to the police and why? In reaction to what incident?*

1. Were the stalking actions different than before? Did the stalking get worse and what is the reason for this?
2. What did you do to stop the stalking? Did you report the stalking yourself?
3. How did the police react (fast, slowly)? What did the police do (make an official report, make a notification, nothing, referral, opposed a warning or interrogated the stalker, etcetera)? Did the actions of the police result in a decrease of stalking actions?
4. Did the police contact the stalker? Had the contact of the police with the stalker a negative or positive outcome on the stalking?
5. Were you satisfied about the contact with the police? How often have you contacted the police? Did the police take you serious?
6. What were your expectations related to the police in this phase? (That they would ceases the stalking?)
7. Did you know at forehand what criminal protection orders were?
c. The imposed criminal protection orders

At what point did the criminal protection orders get imposed on the stalker?

1. What happened to your case (what conviction, criminal protection order and follow-up measures by violation)? What were the conditions of the criminal protection orders (duration, radius of the street ban)?
2. How fast was the criminal protection order imposed on the stalker?
3. Were you satisfied with the realization of the criminal protection orders? Did you receive enough information about the imposed criminal protection orders? Did you feel the judge understood you and that he involved you in the criminal justice process? Did you eventually receive criminal protection orders that met your needs (or were other criminal protection orders necessary and essential according to your situation)?
4. In what way were the criminal protection orders controlled? (GPS/electronic system or in other ways?)

d. The period after the imposed criminal protection orders

1. Did the stalker follow the rules of the criminal protection orders? (If not: can you tell something about the frequency and nature of violation?)
2. What measures would be taken if the stalker violated criminal protection orders (detention or a fine)?
3. Did the stalking decrease, change or got worse after the imposed criminal protection orders?
4. Did you report it when the stalker violated the criminal protection orders? (What was the reason for reporting it?)
5. How did the police react when the stalker violated the criminal protection orders?
6. Is the criminal protection order still valid? If not, did the stalking start again (frequency and nature)?
7. Did the criminal protection orders lead to a decrease or cessation of the stalking? Was this the result of the criminal protection orders or were there other factors that possibly played a role?
8. Did you feel safer and less threatened during the criminal protection orders? What is the reason if the criminal protection orders have no effect on your feelings of safety and threatening?
9. Did you have more feelings of control over the stalker after the criminal protection orders were imposed on the stalker?

10. Did you have contact with the stalker during the criminal protection orders? What was the reason for this (and frequency)? (Maybe because of children?)

**e. Evaluation**

1. If you look back, in what way do you think the criminal protection orders have been good for you? Why?

2. What expectations did you have about the criminal protection order? Did the criminal protection orders satisfy your needs? In what way did the criminal justice process and contact/cooperation with the police satisfy your needs?

3. How can criminal protection orders be improved according to you? What are the success factors of the criminal protection orders?

4. How afraid are you that the stalking will start again?

**f. Characteristics of the respondent**

1. What was your relationship with the stalker? Were you married?

2. What’s your age?

3. Do you have children together with the stalker? How did you deal with this during the criminal protection orders? Was there a special arrangement about the contact with and about the children?

4. Do you have a new relationship at this moment?
APPENDIX 3

Description of the two stalking cases that dealt with criminal protection orders

Case history 1

This 43-year-old man is being stalked by his former wife after a break-up. After being together for more than 12 years, during which time they raised two children, the wife could not accept the man’s wish to terminate the relationship. The moment he started a new relationship and moved in with his new girlfriend, the stalking started. The stalking has not ceased yet (one and a half year later). Stalking actions started with many text messages on one day (probably more than one hundred a day). After that, he started receiving e-mails from the stalker with death threats, the stalker appeared at his home, was physically following him and kept destroying his belongings. This led to fear for the victim, but especially his children were afraid of the stalker and her uncontrollable actions. The stalking had a lot of effect on the victim’s emotions. Reading all the text messages and threatening e-mails was horrible. The increased frequency, nature and seriousness of the stalking and the need that the stalking had to stop, appeared in a report to the police. When proof was delivered, the police responded well and the case has been dealt with in the criminal justice system. After four weeks, a suspended sentence with special conditions was imposed on the stalker by the judge. This resulted in a decrease of the frequency, nature and seriousness of the stalking. However, it did not lead to a cessation of the stalking. In fact, the stalker kept on violating the special conditions that were imposed. Now it looks like the case will be continued in the criminal justice system and that further measures will be imposed for violating the conditions of the suspended sentence.

Case history 2

This female victim is being stalked for three and a half years now, and the stalking has not ended yet. The stalking started after she wanted to end her relationship with her now ex-partner. Her partner had problems with controlling situations and he also had a hard time to let go of this relationship. This led to serious stalking actions. The stalker threatened the victim several times a week; she received text messages and calls saying he would kill her. On top of this, the stalker physically followed her, harassed her family and friends and destroyed material goods from the victim. The victim felt unsafe, was afraid that the stalker would
actually kill her and eventually she emotionally collapsed. It took a long time before enough evidence was provided to the criminal justice system. The case finally came to court where a suspended sentence with special conditions was imposed on the stalker. The stalking decreased in frequency, nature and seriousness but the special conditions were violated by the stalker frequently. This resulted in imprisonment of the stalker. However, the stalker still continues to harass the victim, only in different ways and less frequently. The victim feels that she can rebuild her life and get it back on track.
Bibliography


The prevalence of stalking and the effectiveness of criminal protection orders


Olsthoorn, S.J. & Bronmeijer, C.M. (2002). *Stop(t) Stalking!? Draagt de Anti-stalkingswet bij aan de bestrijding van de stalkingsproblematiek?*. Rotterdam.


The prevalence of stalking and the effectiveness of criminal protection orders

Parliamentary Documents

*Kamerstukken II*, 1996/97, 25 000 VI, no. 40.

*Kamerstukken II*, 1997/98, 25, 768, no. 6, p. 3.

*Kamerstukken II*, 1997/98, 25, 768, no. 6, p. 10.

*Kamerstukken II*, 1997/98, 35 768, no. 3, p. 3.


*Handelingen II*, 2007/08, no. 898.