



Survey supports calls to Make Stalking A Crime in Malaysia

Presented by Yu Ren Chung, Deputy Executive Director, 16 December 2020

Women's Aid Organisation (WAO)

EVERY

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- What is stalking?
- Do we have laws on stalking in Malaysia?

What is stalking?

You are being “stalked” if:

1. Someone is doing an “act associated with stalking” to you
 - E.g. following you, contacting you, spying on you without your consent
2. That person does it to you more than once, or continuously*
3. You experience fear or distress as a result**

** if it happens once, it could still be considered harassment*

*** reasonable person test*



Do we have stalking laws in Malaysia? No.

1. There are **some existing laws** that are related to stalking:
 - a. Domestic Violence Act 1994
 - b. Public nuisance laws (Penal Code and CPC)
 - c. Other offences in the Penal Code and Communications and Multimedia Act 1998
2. However **these laws do not adequately address stalking**, because:
 - a. Existing laws do not cover repeated/continuous following and contacting – which are the most basic forms of stalking.
 - b. Existing laws do not provide protection / restraining orders for persons being stalked.
 - c. Existing laws view actions as separate offences; whereas stalking consists of repeated or continuous actions. (one action viewed in isolation may not seem harmful, but viewed as part of a pattern of actions is harmful)
3. Experience from **Malaysia** and **other Commonwealth countries** show that existing laws are not adequate to address stalking, and specific stalking laws are needed.
 - a. **Experiences of survivors, law enforcers, and women's NGOs in Malaysia** show that existing laws do not address stalking.
 - b. **Singapore, India**, and the **U.K.** have all adopted specific stalking laws – either through standalone criminal laws, or through amendments to the Penal Code.

Survey results suggest: stalking is widespread and affects Malaysians negatively, and existing laws do not adequately help Malaysians experiencing stalking.

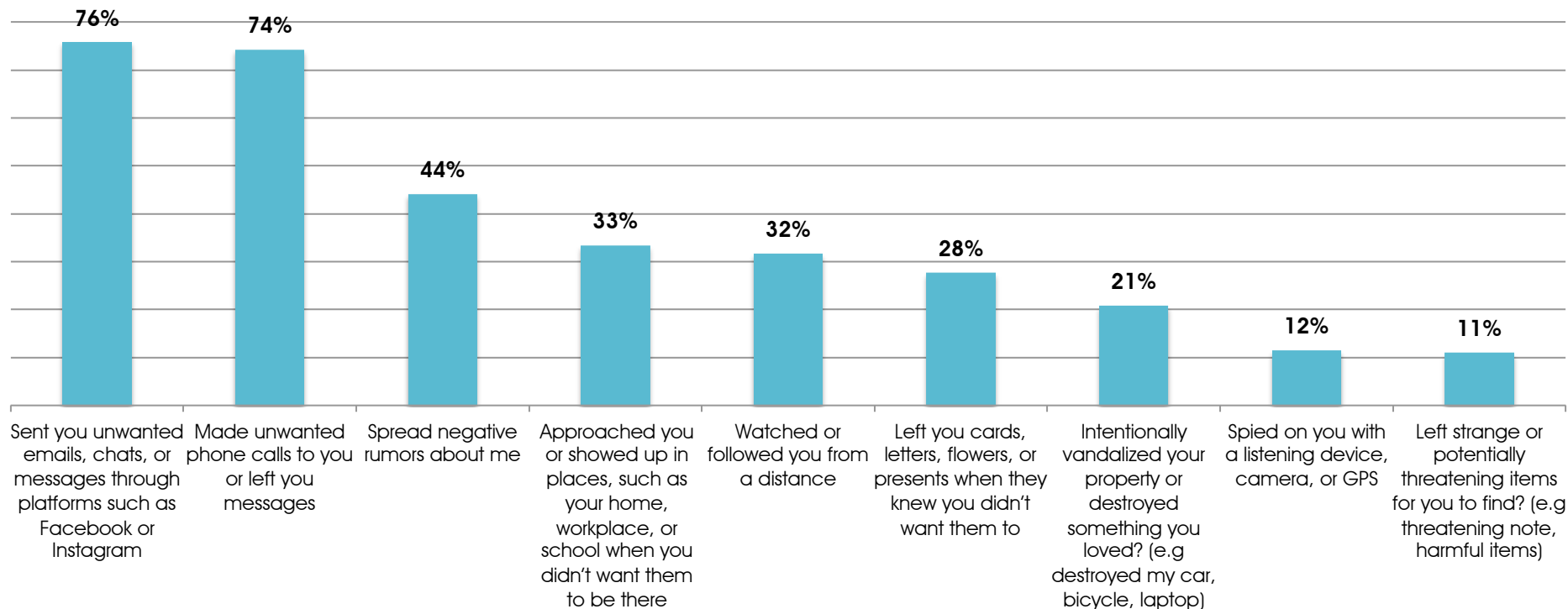
1. Stalking is widespread (including stalking involving fear, threats, and harm)
2. Stalking negatively affects daily lives of Malaysians
3. Most Malaysians believe stalking is wrong
4. Existing laws do not adequately help Malaysians experiencing stalking

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Respondents experienced several acts associated with stalking.

"Has anyone ever..." (select all that apply)

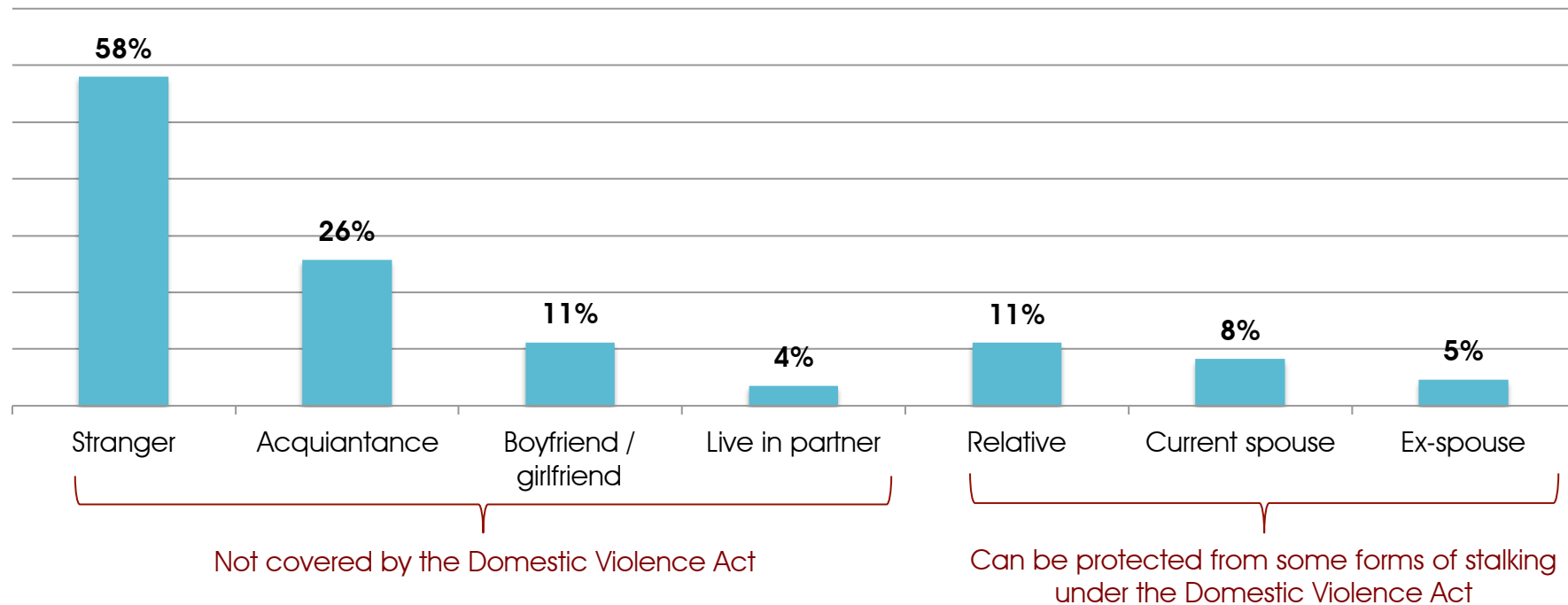


*Note: This does not apply to individuals such as bill collectors, telemarketers or other sales people. Please select one answer.

Base: all respondents (1008), except "spread negative rumors about me" which is base is respondents who experienced an act of stalking (890.23)

Most acts of stalking were done by strangers and acquaintances.

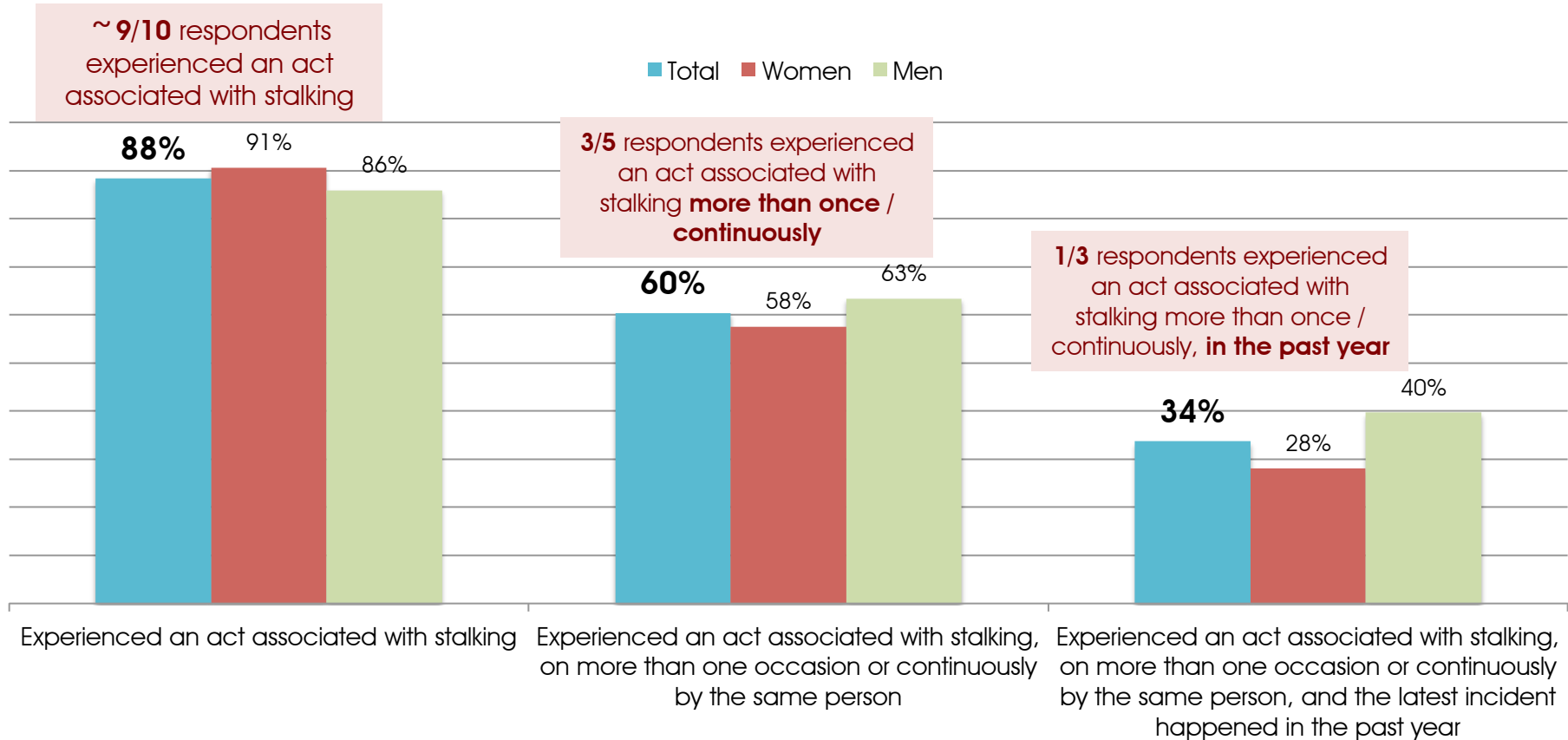
Relationship between person committing the act of stalking and the respondent



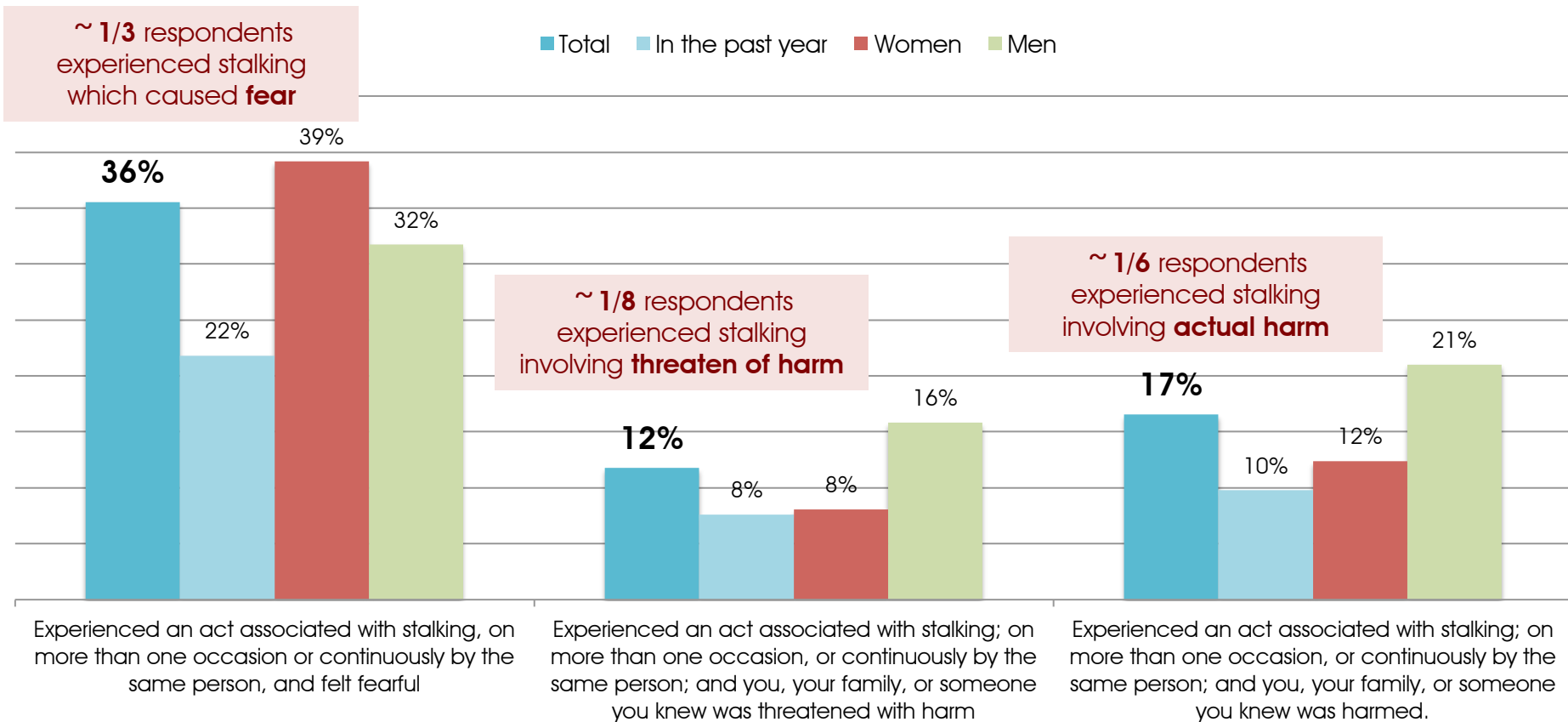
Total exceeds 100% as some respondents had been stalked by more than one person.

Base: respondents who experienced an act of stalking (890.23)

The majority of Malaysians have experienced acts associated with stalking.



Severe forms of stalking (involving fear, threats, and harm) are also common. **EVERY WOMAN**



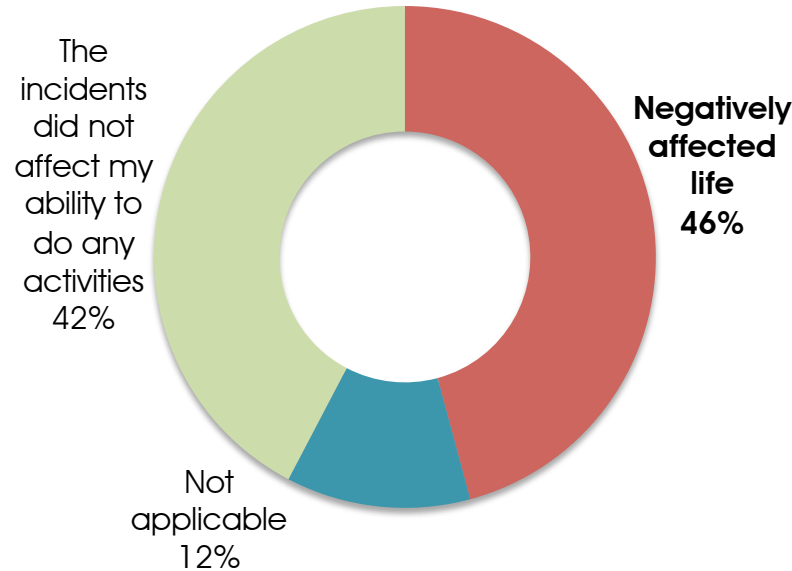
Base: all respondents (1008 total; 513.47 women, 494.53 men)

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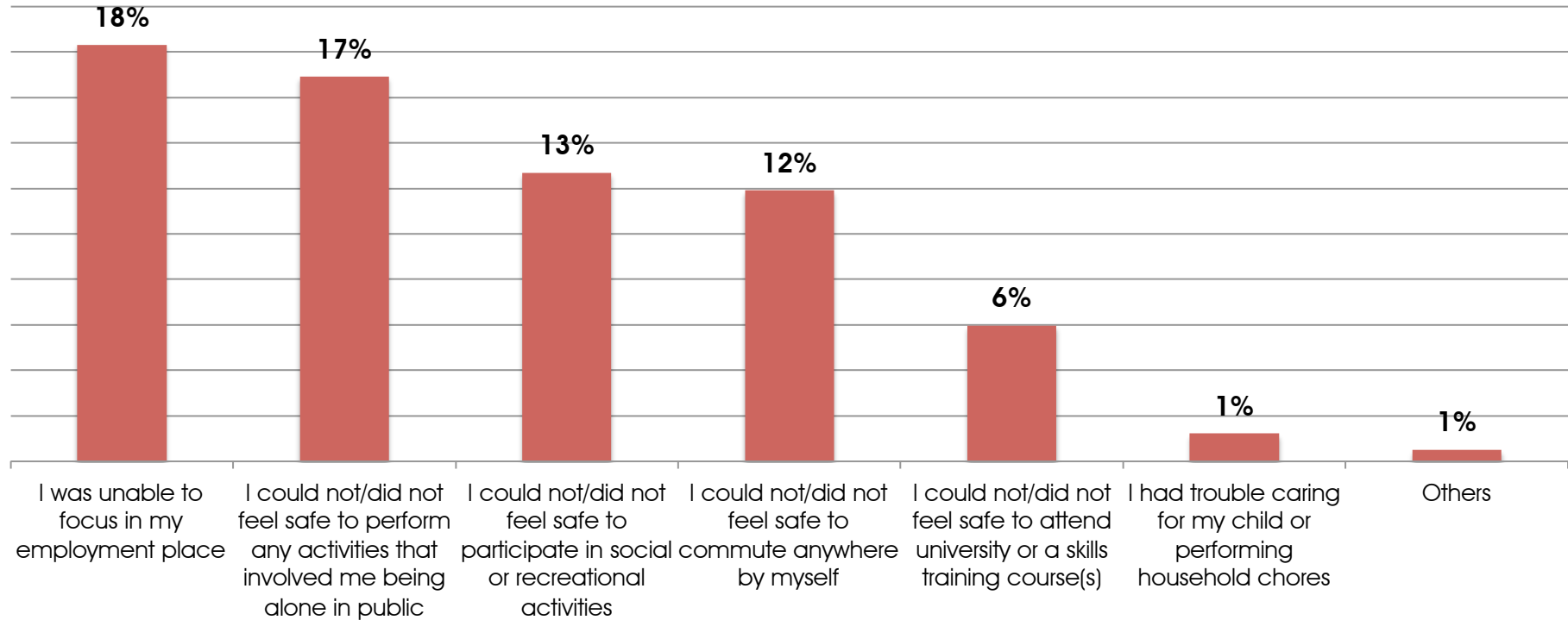
Almost half of respondents who experienced acts of stalking said that stalking negatively affected their daily lives.

Did these incidents (acts of stalking)
affect your life in the following ways?



Stalking negatively affects economic, social, educational, and household activities.

Negative effect of act of stalking (select all that apply)



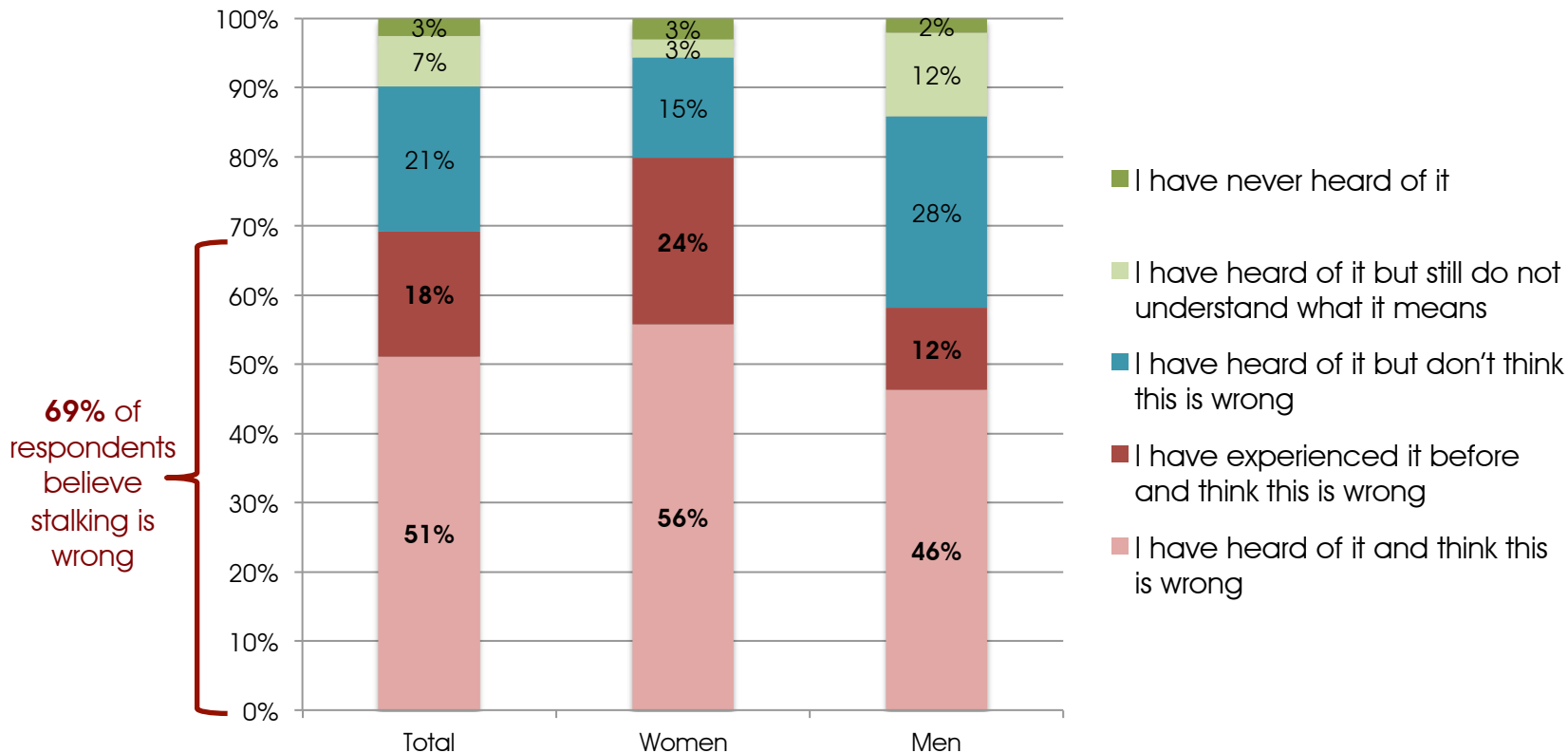
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~ 7/10 Malaysians believe that stalking is wrong.

What are your thoughts on 'stalking'? (Select one answer)

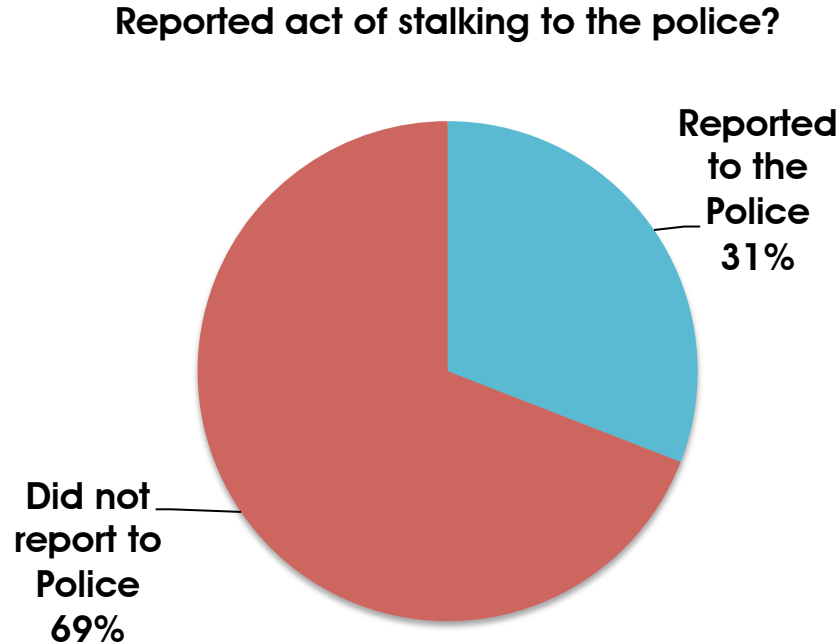


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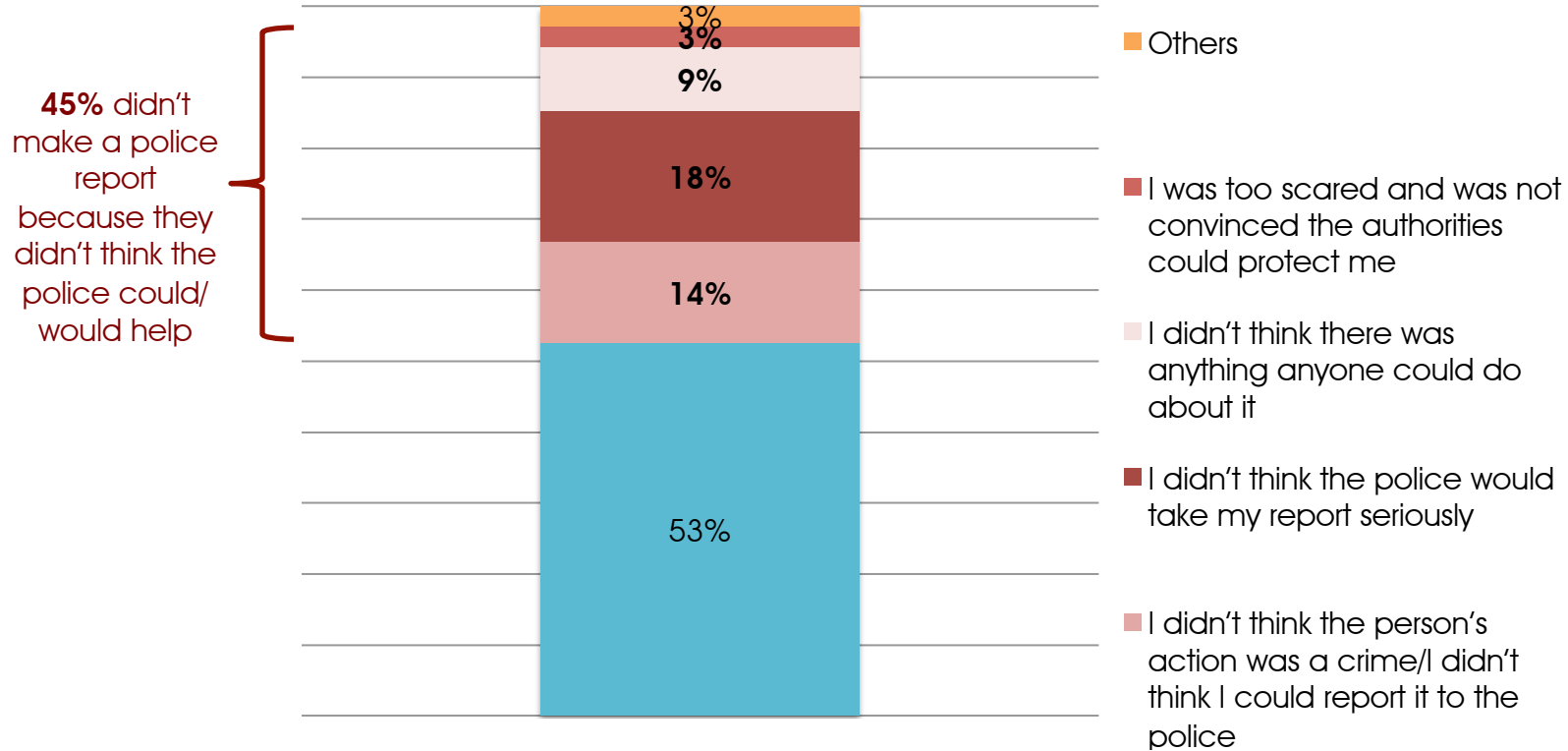
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Most Malaysians who experience acts of stalking do not make police reports. **EVERY VOICE**



Just under half of respondents did not make police reports because they didn't think the police could/would help. This could in part be because the law does not protect against stalking.

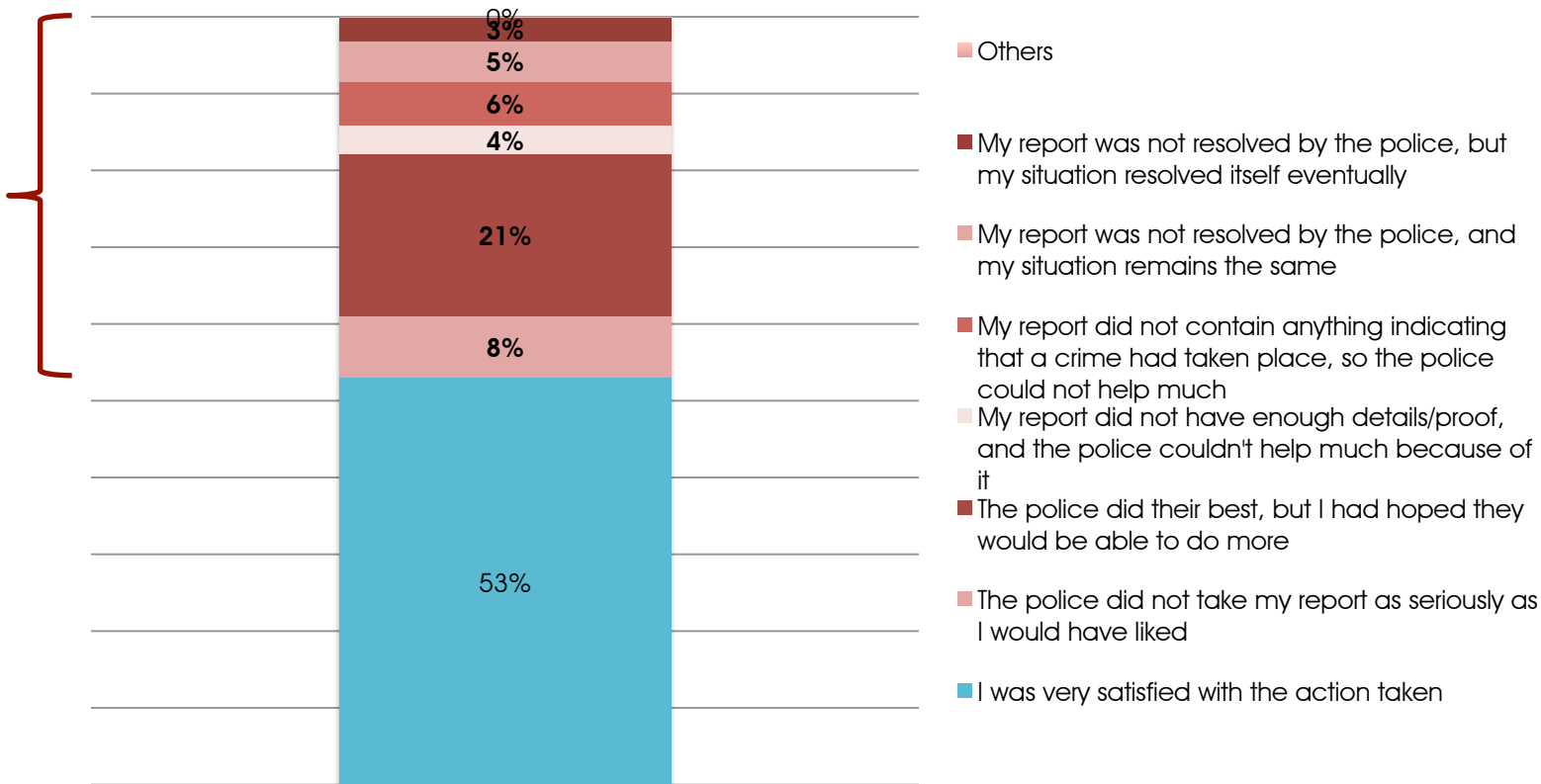
Primary reason you did not go to the police? (select one answer)



Just under half of respondents who made police reports were not satisfied with the action taken. This could also in part be because the law does not protect against stalking.

Were you satisfied with the action taken based on your police report? (select one answer)

47% weren't satisfied with the police action. This could in part be because the law does not protect against stalking.



What next?

- Survey results suggest: stalking is widespread and affects Malaysians negatively, and existing laws do not adequately help Malaysians experiencing stalking.
- **The government (Minister of Law Dato' Takiyuddin Hassan) should → make stalking a crime without delay**
 - Penal Code and Criminal Procedure Code amendment.
 - A committee (consisting BHEUU, AGC, PDRM, KPWKM, KDN, SKMM, WAO, Bar Council) has already prepared a proposal.



What next?


- The public can → sign WAO's petition to #MakeStalkingACrime:
bit.ly/antistalking




change.org Start a petition My petitions Browse


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Make Stalking A Crime in Malaysia




3,907 have signed. Let's get to 5,000!



 Way Chern Thong signed this petition

 Lee Yuk Keng signed this petition

Thanks to your support this petition has a chance at winning! We only need 1,086 more signatures to reach the next goal - can you help?

 **Women's Aid Organisation** started this petition to [Cabinet of Malaysia](#) and [2 others](#)

Thank you

The “Understanding Malaysians’ Experiences Of Stalking” survey is a 2020 collaboration between Vase.ai and Women's Aid Organisation (WAO).

Data is available at: <https://vase.ai/resources/anti-stalking/>

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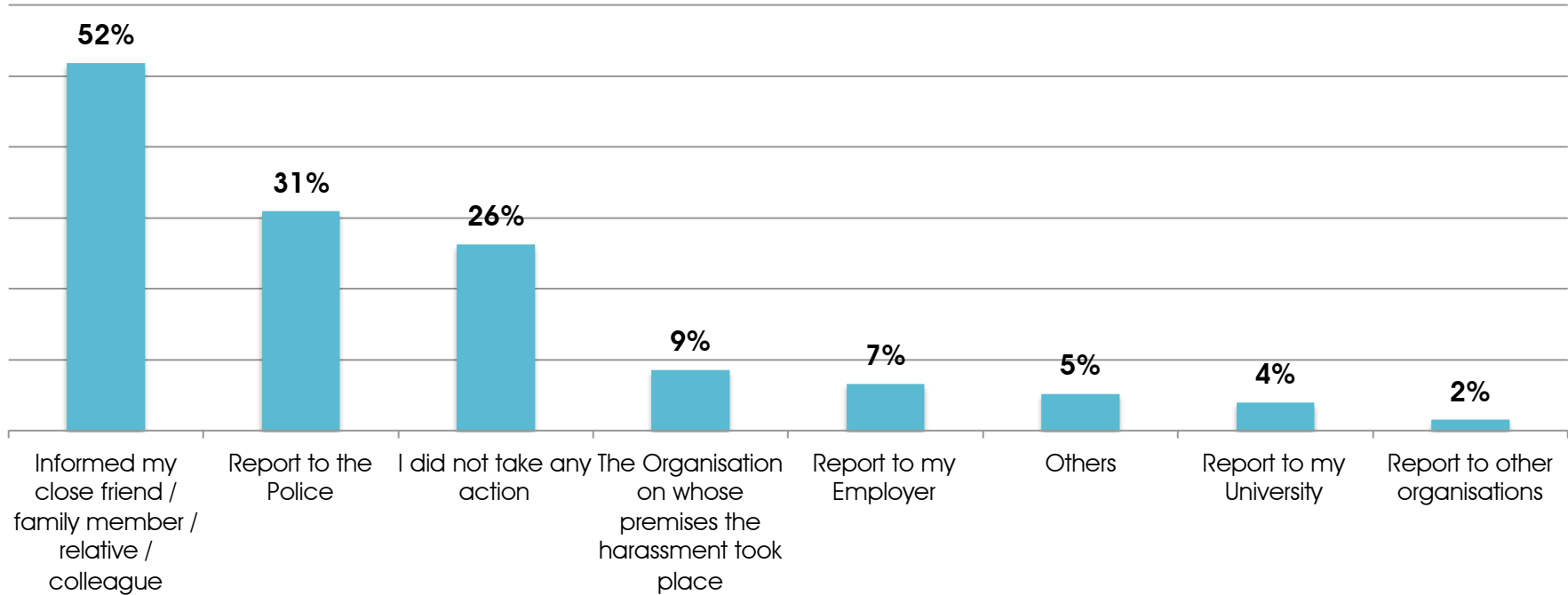


YAYASAN

Appendix: other findings from the survey

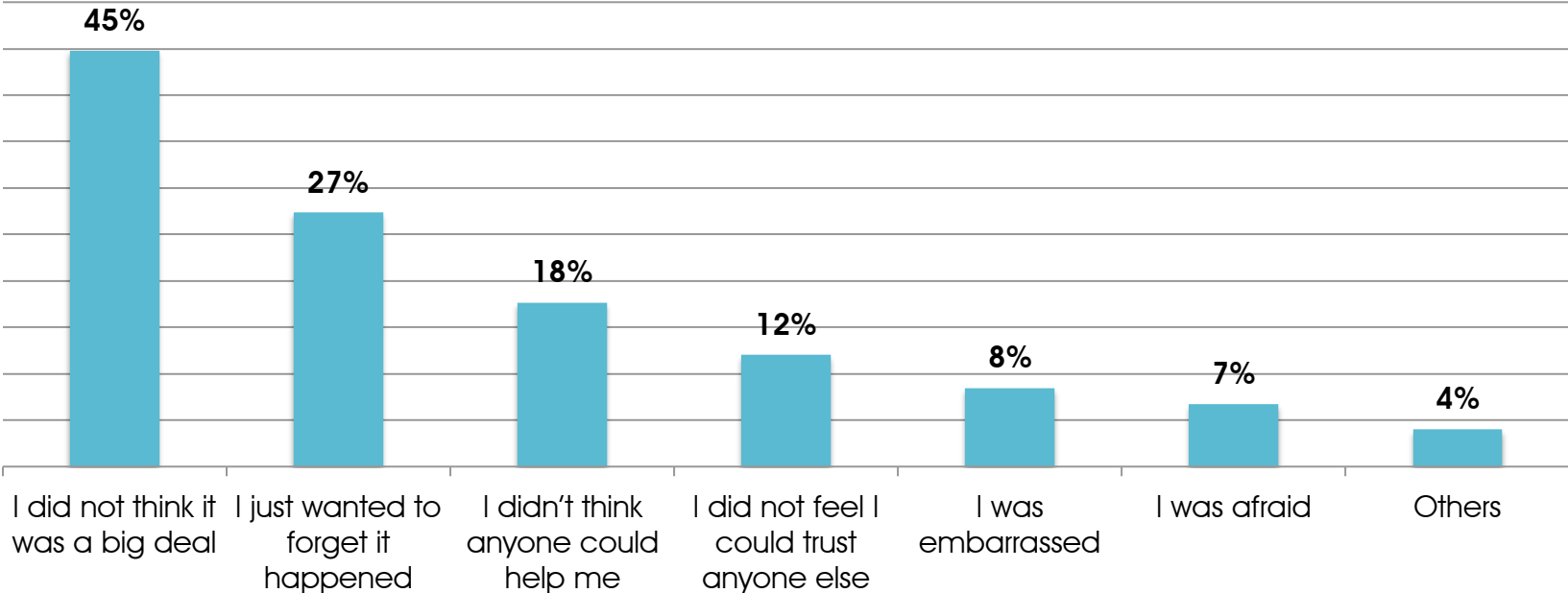
Most people who experienced an act of stalking informed someone or reported the stalking; about a quarter (26%) did not take any action.

What action did you take when you were being followed or harassed? Select all that apply



Respondents didn't tell anyone close to them about the act of stalking for several reasons. Better personal support may have enabled them to share.

Why didn't you tell anyone else? Select all that apply.



Base = Respondents who did not inform their close friend / family member / relative / colleague when they were being followed or harassed (428.7)

Most Malaysians who experience acts of stalking are unaware of the protection available. This may not be surprising as currently there is little legal protection for persons being stalked.

How aware or informed are/were you on the options for protection available to you? (Select one answer)

