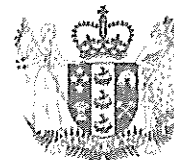


Hon Kris Faafoi

Minister of Justice
Minister for Broadcasting and Media
Minister of Immigration



21 DEC 2021

Leonie Morris
Coalition for the safety of Women and Children
akcentre@womens.org.nz

Tēnā koe Leonie

Stalking and harassment law

Thank you for your letter of 26 November 2021, in which you shared concerns on behalf of the Auckland Coalition for the Safety of Women and Children regarding the current law around stalking and harassment.

I acknowledge the response the previous Minister of Justice, Hon Andrew Little, wrote to you on 5 December 2019, noting there are several existing offences that can be used to address the specific harmful conduct you have identified. Some of the other work referred to in that letter has progressed further, such as the Sexual Violence Legislation Bill which was passed by Parliament on 14 December 2021. I can also reassure you that the Joint Venture Business Unit between government agencies, including NZ Police, continues to improve the system-wide response to family and sexual violence. This work includes improving NZ Police enforcement at an operational level.

However, I am aware of concerns that there may be gaps in the law. I met with the National Collective of Independent Women's Refuges earlier in the year to discuss the topic of stalking and harassment. I heard their concerns about the justice system's response to stalking, including stalking facilitated by technology, and their suggestions to address the issue. In particular, I am aware that victims of intimate partner stalking must rely on protection orders under the Family Violence Act 2018 and may be ineligible for a restraining order under the Harassment Act 1997. However, if someone has been harassed, causing distress, it may not necessarily rise to the level of "family violence" as defined under the Family Violence Act (to qualify for a protection order). As I have said publicly, I am interested in ensuring the laws covering harassment and stalking are fit for purpose.

I made a commitment to consider possible legislative amendments to the Harassment Act 1997 to address the concerns with intimate partner stalking. I intend to include this on the Government's 2022 work programme, subject to competing priorities.

Thank you for taking the time to write to me.

Nāku noa nā

A handwritten signature in black ink, appearing to be 'Kris Faafoi', written over a white background.

Hon Kris Faafoi
Minister of Justice