

Following, harassing and monitoring - Other Resources

Australia

> **ANROWS, *Personal Safety Survey 2016 Fact Sheet* (2017).**

Domestic Violence Resource Centre Victoria, ARC: Technology Safety [Link](#).

This website app (available as a mobile app) includes information about how technology may be used to perpetrate domestic and family violence and how victims might appropriately plan for their safety.

Power and Control Wheel: On Technology and Abuse. (Developed by Wesnet and National Network to End Domestic Violence- NNEDV) [Link](#).

‘This diagram illustrates some ways abusers might misuse technology in the context of stalking, domestic and sexual violence. Perpetrators might try to misuse any technology if it enables them to monitor, impersonate, control or harm. Examples of technology abusers misuse include phone interceptors, listening devices and bugs; caller ID spoof and unblock; email, text and instant messages; computer and phone spyware and monitoring; fax machines; assistive devices and relay services; location tracking devices (e.g. GPS) and services; cameras and other recording devices; mobile phones and tablets; social networking and media sites, websites and more.’

Recording and surveillance.

Many private individuals now have access to reliable and inconspicuous recording and surveillance devices. In some cases recording private conversations, and maintaining surveillance, may be legally justifiable. Increasingly private individuals seek to have their recordings of other’s private conversations and activities admitted as evidence in legal proceedings in domestic and family violence related cases. Often the recording and surveillance material is collected covertly. Legislative responses to these issues vary across Australia.

See *Groom v Police* [2015] SASC 101 for a helpful discussion of these issues in the South Australian context.

Place	Relevant statutes:	Applies to:
ACT	Listening Devices Act 1992 (ACT)	Listening devices
NSW	Surveillance Devices Act 2007 (NSW)	Listening, optical, surveillance and tracking devices
NT	Surveillance Devices Act 2007 (NT)	Listening, optical, surveillance and tracking devices
Qld	Invasion of Privacy Act 1971 (Qld)	Listening devices
SA	Surveillance Devices Act 2016 (SA)	Surveillance devices
Tas	Listening Devices Act 1991 (Tas)	Listening devices
Vic	Surveillance Devices Act 1999 (Vic)	Listening, optical, surveillance and tracking devices
WA	Surveillance Devices Act 1998 (WA)	Listening, optical, surveillance and tracking devices

See Domestic Violence Resource Centre Victoria, [ARC: Laws to Protect](#) for useful guides.

WESNET: The Women’s Services Network, Tech Safety. [Link](#).

This website provides downloadable handouts and information sheets on a range of technology and domestic and family violence issues including high-tech stalking; online privacy and safety tips and information and information about assistive technology. The site also includes a guide to staying safe on Facebook.

International

Lee, Kaofeng and Ian Harris, [How to Gather Technology Abuse Evidence for Court](#), Self-represented Litigants Series, Safety Net Project at the National Network to End Domestic Violence (February 2018).

This is a resource to assist self-represented litigants to gather evidence of their experience of technology abuse in a form that will be allowed by a court. It also provides links to additional resources including information about documenting technology abuse and technology safety. Note however that this is an American resource and the helpline number provided is unlikely to be available to those calling from Australia.

The introduction reads: If someone is using technology like text messages, email, or social media (like Facebook) to harass you, this guide will help you “capture” the evidence of the harassment, so you can bring it to court. You might think you can just show the judge your phone in court—but you probably won’t be allowed to just show your device. Even if you are allowed, you could risk the court taking your device as evidence. To be sure the judge considers your evidence and that you don’t lose your phone (or other device), you need to gather evidence in a form allowed by the court. This guide will provide suggestions on

how to capture evidence that can be admitted in court from your devices, such as your cell phone, computer, or tablet (such as an iPad).

Stark, Evan, 'Evan Stark, Rutgers University, Author, "Coercive Control"' ([Video Interview published online, 12 January 2012](#)).

Evan Stark is a professor in the School of Public Affairs and Administration at Rutgers University. He is noted for his expertise in health issues and in legal aspects of domestic violence. His influential book, *Coercive Control: How Men Entrap Women in Personal Life*, 2007, explains why an expanded view of domestic violence that encompasses coercive control is justified. He asserts that coercive and controlling behaviour is a very common and pernicious form of domestic violence. In this lecture he summaries the core ideas of his book.