

To whom it may concern,

[REDACTED]

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Under the current legislation, the penalty for breaching a Personal Safety Intervention Order (PSIO) states the following: “If the other party breaches a PSIO, that is a criminal offence. They **may** be arrested and charged for the breach. The **maximum** penalty for breaching a PSIO is up to 2 years jail and/or fine of up to 240 penalty units (\$43,617.60) (sentencingcouncil.vic).” The legislation should be amended to include that the accused party **will** be arrested, charged for the breach, sentenced to a **minimum** of 5 years imprisonment and fined 240 penalty units (\$43,617.60). This will set a precedent that perpetrators of stalking will be held accountable should they breach a PSIO. Due to the certainty and severity of this penalty, the likelihood of a possible breach would be minimised.

Currently, electronic monitoring, in particular ankle bracelets, are used under the Victorian justice system as a condition of release in other areas of law. We want electronic monitoring to be used to bridge the gap between offenders being charged with breaching an intervention order and sentencing. This is to protect victims from retaliation, particularly since these offenders have shown disregard for the law and are willing to face a serious penalty. The use of electronic monitoring has proven to be highly successful. In a Tasmanian trial on family violence offenders, there was a 70% decrease in assaults, 80% decrease in threats and 100% decrease in reports of stalking. In addition, the monetary penalties from these breaches could be used to help fund this technology.

We want a risk assessment framework developed which includes mental health assessments, to be able to identify high risk perpetrators who have a high likelihood of escalation. Those who are deemed as high risk, should be fitted with an electronic monitoring device as a mandatory condition of their intervention order. As these

individuals have been found to have a high probability of committing a serious offence, taking these precautions would mitigate the risk of an initial breach.

Furthermore, police need to be provided with a higher level of education advising them how to appropriately handle stalking matters. When victims seek assistance from the police they need to receive useful advice that is best going to protect them. For example, police should be aware that filing an order on behalf of the victim has more power when it comes to charging, than if the victim was to file the order themselves, particularly in high risk cases. Sufficient education would adequately prepare the police to respond to future cases of stalking.

The reform on stalking laws is an urgent matter which affects our entire community, especially young women. [REDACTED]

Thank you for your time and careful consideration. We provide consent for this document to be made public.

Kind regards,

Riana Leonardi
Hannah Smith
Dahlia Mahmoud
Melissa Caligiore

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