

Consultation response on stalking and family violence in Denmark by the parent's network and the group Trolls (approx. 1500-2000 members)

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The Parent's Network for Victims of Stalking was established by Rev. Sidsel Lyster and nurse Louise Dehn Kragsskjold in 2012 as an offshoot of an earlier organization The Council of Mothers. The network is a self-help group for parents who have experienced stalking by their ex-partner. The Council of Mothers was unfortunately dissolved because no one dared to run for board member as all the members were stalked. The present and former networks/associations counts approx. 800 members, mostly women.

Trolls was established by high school teacher Henriette Eiby Christensen in 2009. The group is a self-help group for victims of psychopaths. The group has more than 1,000 members, both men and women. It is organized through Facebook.

The purpose of both groups is to give mutual support to victims who have been exposed to stalking and violence. All members are screened before they enter the networks. Most of the members are already getting help via established organizations such as Mødrehjælpen, Offerrådgivningen, Landsforeningen af kvindekrisecentre (LOKK, Congregation of shelters), Dansk Anti-Stalking Forening, BoPaM (children of Alcoholics), SPOR (incest affected children), Danner (shelter), Landsforeningen af voldsramte kvinder (Battered Womens congregation) and Børns Vilkår (Children's aid-organization).

29,000 women and 8000 men in Denmark experience partner violence every year.ⁱ Danish women have the EU-record in all the different parameters of violence.ⁱⁱ In the Danish media and online there is a high incidence of misogyny (hatred of women), 60% of female politicians are persecuted onlineⁱⁱⁱ, and battered divorced women feel extremely persecuted, like Muslims, by a negative public sentiment in Denmark:

"The father can't do a god damn thing even though the mother is a cheap bitch, who fucks around."^{iv} (a typical Council debate comment)

"It pays to harass ex-husbands." (TV2)^v

"Typically the mother has social-psychiatric problems that she blames the father for." (Foreningen Far, in a discussion about conflicts connected to divorce)^{vi}

Yearlong stalking is the typical result of a woman leaving a violent husband. Stalking is characterized by a repetitive and persistent pattern of behavior and activities which the victim experienced as unwanted, intrusive and frightening. Today it is only possible to open a criminal case against a stalker when he (or she) violates a restraining order and a restraining order is granted only in a few very serious cases.

Description of the Parent Network and Troll Group experience; the conditions under which stalking victims suffer in Denmark:

1. **Stalking is a societal problem:** Around 100,000 Danes, about 80 % women and 20% men^{vii}, have experienced stalking in terms of monitoring and / or harassment.^{viii}

This and the following points are enlightened by SFI's (the Social Research Institute) report on stalking in Denmark: http://www.si-folkesundhed.dk/upload/stalking_i_danmark,_rapport.pdf

and the University of Southern Denmark's report on the stalking of mothers who have a child with their stalker: <http://static.sdu.dk/mediafiles/A/C/E/%7BACE717E4-EBA2-4D7B-8E6B-10D09E9D2F43%7D2013%20Stalking%20af%20m%C3%B8dre.pdf>

The latter report shows the seriousness of the stalking, with an exceptionally high amount of damage on the victims, who have children with the stalker. University of Southern Denmark's report shows that 77% of these mothers have severe posttraumatic stress, which is the same amount of PTSD as among Vietnam veterans.^{ix}

There are not made similar investigations of male stalking victims, but we have shown this report to a few male stalking victims and to non abusive fathers in high conflict divorces, and they recognize, except for the fear of physical violence, the same experiences as the women in this report and in the scientific reports mentioned above.

2. **Monitoring** can take place directly through physical persecution where the perpetrator is actually driving after the victim or remaining close to the victim's residence. Monitoring can also be done through queries in the network of the victim, including mutual friends or the children, at the victim's workplace or through requests to the authorities and institutions related to the victim and/or the children. Part of the monitoring also takes place electronically, for example via GPS devices or via the Internet or via hacking.^x

3. **Harassment** can take many forms and ranges from phone calls to serious physical violence: There are also more subtle forms such as false rumours being spread and direct or indirect threats which are sometimes implied between victim and offender. Harassment through a contact arrangement with the children is sometimes seen among stalking victims who have children with their stalker.^{xi}

4. **Stalking in intimate relationships:** victims with an intimate or known relation to the stalker experience coarser stalking techniques than those who are stalked by a unknown person. This may be because the stalker has a greater knowledge of the victim's weaknesses and access to the network of the victim (for example, children). Expartnerstalking is, according to the first two scientific investigations of stalking in Denmark, more serious and longlasting than other kinds of stalking. (SFI page 6)

5. **Victims are punished for escaping:** since stalking is rarely stopped by the authorities, victims are forced to change their behavior: Stay indoors, change jobs, move to another city, or, in extreme cases, even move abroad.

In these cases there are special challenges for victims who have children with their stalker : visitation rights has precedence over a restraining order; the Parental Responsibility Act includes a penalty for the violation of visitation rights; this means that the offender can get custody of the children if the victim moves away or that the victim would have to pay all transport costs. And by moving abroad or escaping underground, as we have seen several times in Denmark, the victim can be put in the custody of the bailiff's court or sentenced to a prison term for child abduction .

6. **The victim's right to work is violated:** the victim's life becomes one long struggle to protect both herself and her children against the perpetrator. Many victims have experienced being fired or having reduced career opportunities because the effects of stalking are time consuming and also have a negative effect on the psyche. If the stalker contacts the workplace then stalking can be very

troublesome for the employer and the victim's colleagues. Part of the effect of the stalking is therefore a financial loss due to lack of, or reduced opportunity for, being able to support oneself. The conditions of stalked fathers are not investigated. But we know that two thirds of the women who have children with a stalker indicate that they are either on sickness benefits, social assistance or disability pension due to the stalking. (SDU stalking of mothers e.g. page 20)

7. Stalking is persistent violence that cannot be stopped because it is legal: especially victims of a physically stronger stalker or of group stalking (e.g. stalking by proxy, where the stalker gets help from allies) experience living in a state that resembles war. The victim develops increased alertness followed by anxiety and later stress symptoms and even post-traumatic stress. Psychological violence is an implicit part of the coarser aspect of stalking due to unpredictability and the fear-inducing character of the stalking. Stalking is also economic violence due to the economic consequences for the victim in the form of restricted movement often resulting in the interruption of the victim's attachment to the workplace. And, in cases where there are children involved, the stalker sometimes hits his victim hard, both mentally and financially, via lawsuits: e.g. complaints about lack of access to the children. All this violence is legal. In some cases the stalking involves physical or material abuse, and here the Criminal Code is applied not to help the victim, but to help the stalker. Even in well-documented violence and vandalism cases, we see dismissal from the police.

8. No preparedness for the children of victims of stalking: Indirectly the stalking hits the children. They are growing up in material poverty and with a parent who uses all her or his powers in order to survive instead of working, taking care of households and especially the children. If the stalker is one of the parents of the child, the child also has to consider that this parent has both visitation rights and also instills a persistent fear and is actually breaking the family down. In average, the stalkers have 10 days unsupervised visitation with the children per month. (SDU stalking of mothers page 23)

Basically, the authorities reject allegations of psychopathic traits, excessive drinking and sexual abuse of children as 'divorce conflicts'.^{xii} Every third child in Denmark, or about 200.000 children, are each year in the situation that their parents are divorced or getting divorced. Yet, there are only 17.000 cases with conflicts about divorce children in the state government every year. 60% or 9000 of these cases are settled peacefully.

It means, that yearly only 8000 out of 200.000 divorce children have parents with so severe conflicts that they seek help from the Danish authorities. This number could easily cover the children of problematic parents like narcissists, psychopaths and abusers. But the cancelling of visitation rights only happens in about 800 cases of divorce a year^{xiii} In comparison 33.000 Danish children annually attend domestic violence.^{xiv}

According to the victims of stalking because psychological violence, physical violence, neglect, and incest is too hard to prove. There is evidence in less than 3% of the real cases of abuse according to Report on child abuse, from SFI, the Social Research Institute, which shows the authorities' lack of attention to the problem and the lack of documentation possibilities for worried parents.^{xv}

Here it should be mentioned that a common feature of coarse persistent stalking, incest and the neglect of children is a narcissistic personality trait found in the offender. Unfortunately, the authorities do not connect stalking to a lack of parenting skills. In the networks we receive many inquiries from desperate parents, victims of stalking, who must provide contact to their children for a stalker even if they are afraid of being murdered or afraid that their children may be murdered. In

Denmark visitation rights are considered as more important than the safety and security of either the victim or the children.^{xvi}

9. Victims of stalking have no personal safety/security. Stalking and joint guardianship with the stalker eats into the victim's time, freedom, health, family life, developmental growth and economy: the wearing down of the victim is often total.

a) Changing patterns of transport and shopping routines can take up many hours each day.

b) Stalking places a burden on the victim who experiences fatigue because of sleeplessness and collapse because of stress and often lacks the energy for work, housework, paper work, friends, family and children.

c) The victim's contact with the authorities takes time: gathering evidence and keeping a diary, informing the police, attending interrogations and going to court - often to no avail because the character of stalking is one of psychological violence which is not prohibited in Denmark.

d) False notifications and police reports on/claims of violence and neglect of the children and benefit fraud.

e) When having children together: trials/cases concerning custody and residence, often repeated throughout the child's life.

f) Cases of defamation against the victim when the victim's report to the police cannot be substantiated. There are a number of verdicts in Denmark, where women experiencing violence and children suffering incest are actually sentenced to pay fines and reimbursements because they have made statements to a person of authority (or in public) about violations which the offender has not been convicted for - and which, therefore, legally speaking, are considered not to have taken place.

g) Cases of visitation/access to the child: There is no legal aid, so victims do not have free legal/judicial assistance. Victims are stressed by the consultation period set by the authorities who do not have an understanding of the mental stress that these cases put upon the victims or realize that many victims of stalking are not in a position to write a response to a hearing due to post-traumatic stress. Victims do not have the time, energy or the money to file/bring suit against the authorities concerning child visitation rights (for example, a 7-7 visitation settlement with the stalker) while the stalking is actually taking place.

h) Meetings at the municipality, the state administration and the court take time, cost money (for example, driving expenses) and are psychologically stressful for the victims who have to meet the offender and are often forced to sit in the same public waiting room as the offender.

d-h are stalking through authorities, and this is, according to the victims, more traumatizing than the violent relationship. See interview with professor Ask Elklit, SDU, University of Southern Denmark: Stalkers exploit authorities to stalk victims^{xvii}.

i) The legislation emphasizes parental cooperation and mandatory conflict settlement between the parents, even if these are not in conflict, but are victims of abuse. Cooperation requirements of the Parental Responsibility Act/Child Custody Jurisdiction is a major assault on the victims, who are traumatized by any contact with their offender.^{xviii} In the report "Reinstating Justice" from the The Danish Centre for Conflict Resolution, it appears that the state administration does not anticipate a victim-offender meeting, but two equal parties, in visitation cases. Sadly, stalking is overlooked in cases of custody and visitation with high conflict. If the victim appears to be 'non cooperating' and refuses to engage in dialogue or to allow the stalker access to the kids, the victim risks losing her/his

children. This will be practiced even harder when the new law changes begin in October 2015. We have inofficially heard from employees in the State Administration that from October they are ordered to remove the children from any parent, who refuses to participate in the administration's attempts to solve the "conflict" by agreement and demands of mutual trust between the parents.

j) Requirements concerning visitation right lead to contact between victim and perpetrator and indirectly contact through the children, who serve as a liaison between the parents. The children can bring the perpetrator valuable information about the victim. 'Sluice gate' schemes are no solution since the children are used as indirect contact point/interlocutor by the stalker; there is also a risk that the stalker can wait in the parking lot outside the sluice gate system or leave a 'message' for his victim at the place where the children are handed over.

k) The victim is burdened by stalking which takes place through the children: the stalker always involves the children in the conflict and tries to alienate them from the victim by threats, intimidation or manipulation. Many of the kids do not thrive when visitation take place because stalkers generally have impaired empathy. In the SDU's study on victims of stalked mothers (page 53), 20% of the women tell a story of sexual assault after the visitation, and 100% of the women report that children are exposed to psychological violence when they are with the stalker. Time-wise it is very challenging to be a parent of a vulnerable/exposed child. Many parents have to give up their jobs because the children are so traumatized and have such great psychological difficulties that it is not possible for the caring parent to deal with a job.

l) Over time, victims of stalking lose the sense of organization and the ability to have a broad view of things. This means that the more violent the stalking is the worse the victim's situation becomes in relation to the authorities as it is not possible for the victim to systematize, categorize and record harassment due to the traumatic effects of the stalking. Victims of stalking are not offered any help from society and cannot cope with writing the required notification/report or systematize evidence. Fatigue and the lack of energy and overview entail that many victims of stalking are in a mess as far as their economy is concerned; they forget to pay bills, forget deadlines as regards responding to the authorities and cannot cope with normal housework or even care sufficiently for their children and themselves. Among other things quite a few victims even have bad teeth due to a constant dry mouth and even the lack of the energy to brush their own teeth.

10. Non-existent possibility for medical treatment: The victims of stalking are often affected by strain, post-traumatic stress, anxiety and depression. More than 1/3 of the victims of stalking either have thoughts of, or even commit, suicide (SDU Stalking of mothers page 31). If the stalking is not stopped the pressure and stress on the victim continues which is why psychological and psychiatric help can be soothing but not, ultimately, healing. Psychological care is expensive for the victim, even with referral from the doctor.

The need of psychological or psychiatric help is particularly problematic for the victims who have a child, or children, with the stalker. As the stalkers are often not examined concerning their ability to care, they appear 'healthy' in cases concerned with where the children should reside and in cases concerning access/visitation rights. If the victim seeks psychological or psychiatric help, and especially if the victim is diagnosed with post-traumatic stress, the perpetrator may get the children, as the cause of the victim's diagnoses are not recognized by the state administration or the court. Victims of stalking say that when they seek help their lawyers advises them not to seek medical help and not to bring forward a PTSD diagnosis, because a diagnosis can lead to the loss of the children to the stalker. To protect the children, the caring parent is forced to seek advice from outside the system and pay for it herself.

11. Reduced public assistance to victims of stalking: Victims of stalking in Denmark are often deprived of the opportunity to work and thus support themselves. On top of that, the victims of stalking are usually not entitled to unemployment benefits, flex jobs or early retirement as victims of stalking have to be available for the labour market if they are to be entitled to these benefits. The victims often cannot make themselves available for work until their general life situation is stabilized, that is, until the perpetrator has stopped his stalking behavior. Most victims of stalking therefore end up on the lowest cash benefit rate, often for years, before they are referred to flex jobs or early retirement.

12. The state's and the stalker's interference with the family's life leads to a lack of family life: Very few victims of stalking have the energy to find a new partner or to have more children. New relationships break down when the stalker intensifies the stalking because of jealousy or extends the stalking to include the new partner.

13. Stalking is an open secret: Both men and women, who publicly point to the lack of rule of law for victims of stalking, experience libel suits/cases of defamation, aggravated internet stalking (by, for example, Internet trolls) or even threats and/or vandalism.

Victims of stalking experience that the stalking intensifies and becomes more dangerous if they come forward with their story - and that there is no police protection. And victims of stalking who have a child with the stalker risk that the child's residence is moved to the perpetrator's from whom the victim wants to protect him/herself and their children, because of an accusation that the victim is not cooperating when it comes to sharing the children. The victim's freedom of speech is therefore extremely limited. The lack of criminal judgments against stalkers can, as in cases of incest and violence in Denmark, imply that it is not the perpetrator who gets a sentence, but often the victim who is sentenced for defamation because they dared to speak out about their terrible situation.

14. Imprisonment of victims: A number of parents experiencing stalking have been arrested because they did not want to hand over their children to the perpetrator. Stalking is not covered by criminal law, and so the stalkers are never examined by psychiatrists or psychologists, and therefore the danger of allowing the stalker visitation rights cannot be proved. The parents hit by stalking are often women.

The jailed women state that they are the only female prisoners within the prison; they are isolated almost the entire day in small, confined prison cells with no ventilation; they are on yard time with tough male criminals; and they do not have the opportunity to see or care for their children. The imprisonment is for up to 6 months, and the authorities do not offer "lighter" sentences such as electronic tagging or house arrest, even though the parents have committed no criminal offenses and are not a danger to others. Right now, there is a case in the Supreme Court concerning a mother who can prove death threats against herself and threats of abduction of the child. Yet she is imprisoned for not following the visitation agreement.^{xix}

15. The lack in rule of law has led to killing and vigilantism (taking the law into one's own hands): The networks has knowledge of women hit by stalking, who have been denied a restraining order and have since been killed by their ex-partner^{xx}, men killing their ex partners and afterwards being rewarded with full custody of the children (e.g. the Hafida-case)^{xxi}, and we have knowledge of parents who have become so desperate about the ex-partner's stalking that they have fled the country without giving their new address, and therefore have been deprived of the custody in absentia and later arrested, convicted of child abduction and have lost their children to the stalker.

Because of the risk of libel suits from ex-partners we cannot refer to specific cases here, as only the female 'child abductors' are convicted, and not the violent ex-husbands.

16. Policemen as stalkers: A few stalking cases include police men as the perpetrators. It is a huge problem when law enforcement does not clean up in its own ranks.^{xxii}

17. Stalking disguised as bullying and neighbour warfare: stalking in the schoolyard and in the workplace or by a neighbour is usually called bullying or neighbour warfare, but as the bullying/warfare is often persistent and clearly makes up a pattern of harassment (for example, the spreading of false rumours, false accusations, abusive phone calls and hate sites on the Internet) this kind of bullying is also clearly a form of stalking. In most cases the victim is forced to change school/work or vacate their homes as the offender has not committed anything "illegal".

18. Stalking goes unpunished: It is problematic that bullying, psychological violence and harassment are not criminal offenses, and that the law on restraining orders and exclusion orders only applies if issued by the police. Often we find that the same perpetrator can with impunity pursue and destroy several people. Stalking is subject to private prosecution, i.e. the victim must personally submit all evidence to the police. It puts a lot of pressure on a shattered person. The police or prosecutors reject nearly all stalking cases. The stalkers who get a restraining order have usually violated other articles of the Penal Code, for example threats or physical violence.

19. Public smearing of the victim is not punishable: There is generally no legal aid in libel cases. This means that stalking in the form of defamation to the victim's entourage or workplace or unfounded lawsuits based on false claims, can only be stopped if the victim has much money. We see that stalkers often have better advice and time to sue their victims than vice versa.

20. Lack of quality in psychologist studies: state administrations and courts use psychological children surveys as a basis for their decisions when there is suspicion of domestic violence or sexual abuse. We find that these studies, which are often children's and protective parents only opportunity to prove the danger of the other parent, is a false legal certainty, since the studies of "company for child experts" generally are superficial and based on the parents' non-reality-tested explanations and a few short parent-child observations. It is not possible to get a professional second opinion on the study. The children surveys consist of three interviews with each parent and 2x2 observation of parents and children. If the 2x2 hours supervised child contact is good, non-supervised access is always considered to be absolutely safe for the child, despite the other parent's suspicion of pedophilia, violence, abuse and psychopathy. In the law it is possible to examine the parents, but psychiatric assessments are almost never carried out in practice.

21. Child welfare by visiting parents can not be examined regularly. Only resident parents can be examined by the children's municipalities. There can therefore be no proof of the conditions in the visitation parent's home if the child tells about neglect or child abuse. A hearing of children in abuse cases takes place in a strange room with a foreign police officer that the child has only met once before the hearing. The child must not have a well known person to comfort it during the questioning. Says the child nothing at first questioning, the case is shut down as inadmissible. It is no wonder that less than 1% of all incest cases according SFI leads to judgment. Lack of criminal evidence in practice leads to the unsupervised visitation being resumed. Supervised interaction happens not to protect the children, but as a means of stepping up to the unsupervised visitation. The cases in court and the unsupervised unsafe visitation can continue to run the whole childhood.

SOURCES

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- ⁱ <http://www.lokk.dk/Viden-om-vold/Partnervold/>
- ⁱⁱ Danish women are most often prone to violence:
<http://www.jyllands-posten.dk/premium/indland/ECE6535275/Danske+kvinder+oftest+udsat+for+vold/>
- ⁱⁱⁱ <http://www.dr.dk/Nyheder/Indland/2014/11/05/092426.htm>
- ^{iv} <http://ekstrabladet.dk/nyheder/samfund/article4715462.ece>
- ^v <https://www.youtube.com/watch?v=DM006YmWlgA> News on the big tv-channel TV2
- ^{vi} <http://www.b.dk/kommentarer/hvordan-gaar-det-med-skilsmisse-julen#!>
- ^{vii} 1. Source: The Ministry of Justice, see for instance
<http://www.b.dk/nationalt/tusindvis-af-danskere-forfoelges-af-en-stalker#!>
- ^{viii} This and the following points are enlightened by SFI's (the Social Research Institute) report on stalking in Denmark:
http://www.si-folkesundhed.dk/upload/stalking_i_danmark,_rapport.pdf
and the University of Southern Denmark's report on the stalking of mothers who have a child with their stalker: <http://static.sdu.dk/mediafiles/A/C/E/%7BACE717E4-EBA2-4D7B-8E6B-10D09E9D2F43%7D2013%20Stalking%20af%20m%C3%B8dre.pdf>
- ^{ix} <http://www.veteransandptsd.com/PTSD-statistics.html>
- ^x SFI's report on stalking, page 6
- ^{xi} SFI's report on stalking, page 6
- ^{xii} Danner-stiftelsen, a non-governmental help organization for women and children, on Danish children's forced visitation with violent parents: <http://www.danner.dk/debat-tvunget-til-samvaer-med-voldelig-foraelder/>
- ^{xiii} Source: <http://www.statsforvaltningen.dk/site.aspx?p=4623&newsid=1210>
- ^{xiv} <http://askovfonden.dk/voldsom-kaerlighed-tilbyder-gratis-workshops-om-forhold-og-kaerestevold/>
- ^{xv} Report on child abuse, from SFI, the Social Research Institute, which shows the authorities' lack of attention to the problem and the lack of documentation possibilities for worried parents:
<http://www.sfi.dk/rapportoplysninger-4681.aspx?Action=1&NewsId=2838&PID=9267>
- ^{xvi} example: <http://ekstrabladet.dk/112/article4058494.ece>
- ^{xvii} See this interview with professor Ask Elklit, SDU, University of Southern Denmark: Stalkers exploit authorities to stalk victims: <http://www.etik.dk/forbrydelse-og-straf/stalkere-misbruger-myndigheder-til-forf%C3%B8lge-ofre>
- ^{xviii} That mandatory/forced meetings between victim and perpetrator is a "second assault" is described for instance on pp. 13-14 in the report "Genoprettende retfærdighed"/"Reinstating Justice" from Center for konfliktløsning, the The Danish Centre for Conflict Resolution. It also appears that the state administration does not anticipate a victim-offender meeting, but two equal parties, in visitation cases. Sadly, stalking is overlooked in cases of custody and visitation with high conflict. Source:
<http://konfliktloesning.dk/node/2452>
- ^{xix} Now the case is going to be heard in the Supreme Court: Kilde: <http://hvidovre.lokalavisen.dk/nu-skalsagen-behandles-i-hoejesteret-/20150602/artikler/150609855/1671>
- ^{xx} For instance <http://ekstrabladet.dk/112/article4829343.ece>
- ^{xxi} <http://nyhederne.tv2.dk/krimi/2015-03-29-far-draebte-mor-og-saa-fik-han-foraeldremyndigheden>
- ^{xxii} Punished for stalking, but policeman doesn't get any restraining order:
<http://www.bt.dk/danmark/straffet-for-stalking-men-politimand-faar-ikke-tilhold>