

**A criminological exploration of cyber stalking in South Africa**

by

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**Dedicated to courageous victims whose violations are deemed insignificant.**

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## DECLARATION

Student Number: 49128507

I, Shandré Kim Sissing, declare that this dissertation: "A criminological exploration of cyber stalking in South Africa" is my own work and all of the sources that I have used or quoted have been indicated and acknowledged by means of complete references.

SIGNATURE:

.....

DATE: .....

MISS S K SISSING

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**Title** : **A criminological exploration of cyber stalking in South Africa**

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### **EXECUTIVE SUMMARY**

The introduction of cyber technology, accompanied by its fast developing nature, has not only resulted in numerous advantages to its user and society as a whole but has also produced harmful consequences specifically impacting on cyber crime. One of these harmful effects is cyber stalking. Cyber stalking is the use of the Internet or any electronic medium to stalk, harass and pursue victims. This unwanted perusal has various negative implications for the victim, as cyber stalking can disrupt many aspects of an individual's lifestyle.

In this study, the occurrence, nature and the impact of cyber stalking among the victims of cyber stalking were explored. Additionally, protective measures available to victims of cyber stalking were examined as a way to facilitate the operational efficiency of related legislation. This was done through determining the occurrence, nature and the impact of cyber stalking as well as the extent of the usage of social networks in the commission of cyber stalking. Legislation specific to South Africa and the effectiveness of such legislation were examined.

The study implemented a qualitative approach. Twelve research participants who met the requirements of the study were selected by means of purposive and snowball sampling methods. The study was publicised on the Internet through current popular social network sites. In conjunction to the cyber theme of the study, the research participants were requested to complete an online e-mail interview to share their personal cyber stalking victimisation experiences. Within the constraints of the e-mail interview, a semi-structured interview schedule was incorporated in order to guide the research participants in sharing their cyber stalking victimisation experiences.

The findings of the study were extensive; ranging from emerged patterns to unique and exclusive experiences. In brief, the study concludes that cyber stalking is occurring in South Africa, its nature and impact is complex and although there are many common themes within cyber stalking, it is uniquely situated to individual cyber stalking incident(s). Although there is no current South African legislation specifically aimed at addressing cyber stalking, South African legislation comprehensively deals with addressing the problem of cyber stalking within various related legislation. It was determined that although cyber stalking is effectively addressed in the drafting of legislation, it is ineffectively administered at grass roots level, where the police act as the gatekeepers and vital role players in the reporting and intervention of crime.

Based upon the findings, as guided by the aims and objectives of the study, recommendations for the prevention and intervention of cyber stalking as well as recommendations for future research were made. As derived from the research participants' responses as well as from current literature, recommendations focused on all victims of cyber stalking while specifically paying attention to young victims and victims who are business users. Recommendations were also made to assist in dealing with cyber stalking as well as recommendations aimed at assisting professional role players. In the final chapter of the study, emphasis is placed on awareness and educational campaigns aimed at informing the cyber community of cyber stalking.

## CHAPTER 1

### ORIENTATION AND RESEARCH METHODOLOGY

#### 1.1 INTRODUCTION

In many societies across the globe, the reality and effects of crime have manifested into a serious social risk and quandary. Crime and criminals have always been part of human existence (Bezuidenhout & Little, 2011: 3). The elements, variations and consequences of crime are vast and inherently multifaceted.

Due to the abundance of technology, particularly in the 21<sup>st</sup> century, a relatively new phenomenon has emerged which manifests through crimes previously unknown and not legislated against. This leaves potential victims at risk to direct as well as intangible victimisation and vulnerability. The phenomenon can be regarded as a subdivision of crime known as cyber crime or online misdemeanours (De Angelis & Sarat, 2000: 7). Due to the colossal growth of the Internet, simplicity of accessibility, and affordability, cyber technologies are readily available to all individuals. As a result of this novel convenience to the general public, cyber crime has increased. Terrestrial crimes are transitioning out of the physical realm into the virtual domain of cyberspace (Lucks, 2004: 2).

Cyber crime takes place in a cyber environment and is perpetrated by using any form of cyber technology device such as computers, telephones and credit-card machines for criminal purposes. Cyber crime is any criminal activity in which computers and or the Internet function as the primary means to commit a misdemeanour (Booyens, 2011: 274). Cyber crime ranges from cyber pornography, identity theft, hacking and cyber stalking (Higgins, 2010: iv, 1). The researcher is interested in the concluding array of virtual criminal activity – cyber stalking.

Cyber stalking is a term often interchangeably used with the term stalking; although they share many similarities, when scrutinised critically, their differences are uncovered. In conjunction to the awareness that cyber stalking becoming a recognised phenomenon (D'Ovidio & Doyle 2003:10), this indistinctness gives rise to the requirement for cyber stalking to be studied as an independent offence (Bocij, 2004: 5).

Whitty and Joinson (2009: 111) offer an explanation of cyber stalking in its most fundamental form as a collection of behaviours in which the wrongdoer(s) employ information and communications technology to harass their victim(s). Cyber stalking usually follows a course of harassing actions that would cause the victim to suffer emotional distress as a result of such behaviour. Moreover, as clarified by Miller and Morris (2012: 83), the threatening nature of cyber stalking makes it more serious than mere harassment. It often involves threatening and obscene messages, spamming (whereby a cyber stalker sends a stream of junk e-mail), flaming (online verbal abuse), sending electronic viruses, and or tracing another person's computer or Internet activity. In South Africa there are no official statistics representing cyber stalking as a criminal offence, as cyber crimes are not documented on the official website (<http://www.saps.gov.za/statistics/reports/crimestats/2011/categories.htm>) of the South African Police Service (SAPS). On the other hand, as mentioned by Mugoni (2011) almost one million adults are the victims of cyber stalking every year.

It is becoming more and more apparent that there is a steady escalation of the number of people who have access to the Internet and the number of hours spent online or with communicative technology (Whitty & Joinson, 2009: 1, 11). In fact, computers and the Internet have transformed the way in which the modern world communicates (Miller & Morris, 2012: 75). The compositions of cyber technologies continue to transform and expand – trends come and go. People look for, pursue and involve themselves in online relationships; be it mutual or not.

Before the 21st century, Grabosky and Smith (1998: 212) foresaw the transition of social activities from an offline environment to the online realm, through the evolution of technology. Furthermore Grabosky and Smith (1998: 212) elaborated on this by explaining that technology will permit individuals to record large amounts of personal information online which will, in turn, result in privacy becoming a major issue. Currently, there is an increasing inclination by online inhabitants to publish basic and personal information online, thus making themselves accessible to cyber stalking victimisation (Whitty & Joinson, 2009: 1, 11). The Internet has experienced massive growth in this millennium, as it has infiltrated progression and development in almost every aspect of society and is increasingly becoming more available and accessible across the globe (Jaishankar & Sankary, 2005; McFarlane & Bocij, 2005). Miller and Morris (2012: 75) point out that there are over two billion Internet users worldwide, which has had a profound impact on human behaviour.

Incidents of cyber stalking are increasing as news reports continue to report happenings of it both nationally and internationally. Accordingly, in an article written by Bailey (2010), the author reports that cyber stalking has become a big problem. For instance, a recent local case study exposed by a popular South African television programme of the South African Broadcasting Company (SABC) showcased the plight of a cyber stalking victim (SABC 3, 2011). The young girl explained that she was initially stalked by an unknown assailant through a well-known social network. The perpetrator alienated her from her online friends, tarnished her name, established counterfeit accounts in her name and repeatedly gained access to her mobile number through the social network she was registered on. The harassment reached a peak when the stalker started to send her pornography and made threats of gang rape and death. The victim eventually ended all her previous forms of online communication and relinquished her job as a result of the immense fear of being attacked. She approached the police on numerous occasions to lay charges against the perpetrator but they refused to open a case (SABC 3, 2011). As indicated by the case study, cyber stalking is a complex crime which involves legislative indistinctness in that it is not directly addressed. This research will

seek to analyse the facets involved in cyber stalking as well as to uncover the practical protection measures available to victims.

Due to its clandestine nature there is limited knowledge on the extent of cyber stalking. Many aspects of this phenomenon are left in ambiguous and vague confinements especially with regards to its legal boundaries (Bailey, 2010). This ambiguity is further extended in situations where stalking is perpetrated by strangers (South African Law Reform, 2006: 76). Therefore, a need arises for explorative research in relation to the frequency and effectiveness of legal protective measures against cyber stalking. Research conducted in this area needs to stipulate whether cyber stalking is taking place, by whom and the behaviours associated with it; thus ultimately determining the nature of the phenomenon.

In essence, the study aims to conduct research on cyber stalking by means of identifying and discussing the occurrence, nature and impact of cyber stalking while investigating the existence and effectiveness of current legislation.

This chapter commences with an elucidation of key concepts used throughout the study. A problem formulation and motivation for the study will be established and a discussion will be presented on the research methodology utilised during the research study. Additionally, a narrative of the research methodology, procedures, measuring instrument and interview process will be discussed. This will be followed by an exposition of the research ethics, validity and reliability and data analysis. Finally, a pilot study conducted by the researcher will be presented. In conclusion, the researcher will summarise the main components of the chapter for the purpose of affording the reader a brief depiction of the focus of the study as well as the research methodology associated with it.

## 1.2 CONCEPT CLARIFICATION

A definition of concepts is deemed necessary to explain the researcher's trail of thought as well as the facilitation of common understanding thereof. In this way a conceptual framework is developed. The term concept can be clarified as the words or phrases designated to happenings about which science tries to make sense of. The main purpose of concept clarification is mutual communication and comprehension (De Vos, 2005b: 28). For the purpose of this research the following concepts will be clarified:

- **Blog** denotes an online journal which is regularly updated and posted to a personal web site. Online viewers are allowed to read these encounters, make comments and share the information posted (Bocij, 2004: 230).
- **Chat room**, as described by Bocij (2004: 230) is a website or part of a website where people can engage in conversations during authentic time. The conventional and common means of communication between users involve the typing of messages. Current technology allows users to also speak to each other and to take part in video conferencing. There are various chat rooms available catering to the individual interests of a wide range of users. Chat rooms are usually supervised by moderators to make sure that users follow the rules.
- **Classical school** is a perspective in Criminology which assumes that individuals have a free will and choose to commit crime. This choice is based on a rational, hedonistic decision. The perspective suggests that all offenders have the ability to weigh out the potential costs and benefits of criminal activity and make a choice accordingly in order to maximise pleasure and minimise pain. This school of thought emphasises free choice and that crime can be deterred by punishment (Tibbetts & Hemmens, 2010: 5, Siegel, 2004: 108).

- **Crime displacement** is a consequence of crime reduction methods in which efforts to control crime in one area shift deviant behaviour to another. In this manner, crime is not prevented but rather deflected or displaced. It should be noted that although crime displacement does not solve the crime problem, in some cases it does reduce the frequency of crime or lessen its degree of seriousness (Siegel, 2004: 120).
  
- **Cyberspace** refers to the Internet or World Wide Web and the culture that has emerged from it (Hitchcock & Page, 2006: 425). Taylor and Spencer (2004: 237) extend the definition by denoting cyberspace to a globally networked, multi-dimensional, artificial and virtual reality. It is sustained, accessed and generated by computers. It is a place where people work, dream and play.
  
- **Cyber stalking** is defined as the use of the Internet, e-mail or other electronic communication systems to follow someone or threaten them. Furthermore, it is the use of the Internet to stalk or harass an individual by repeatedly sending messages. The acts involved here include threats of harm or intimidating behaviour. This behaviour results in a person feeling afraid and unsafe (Longman dictionary of contemporary English, 2003: 390). The main disparity between stalking and cyber stalking stems from the methods of perusal occupied. Cyber stalking adheres to the repeated pursuit of a victim by exploiting various electronic communicative avenues. Stalking may use electronic methods of perusal but not exclusively. These online behaviours are facilitated by technological innovations that liberated potential stalkers of the spatial restriction of their recurring perusal (Reyns, 2010). In summary, as clarified by Williams (2010: 199), the essence of cyber stalking engages the employment of electronic resources such as the Internet, to pursue, stalk or contact another in an unsolicited and unwanted fashion. It is also emphasised that cyber stalking can result in serious psychological and sociological consequences on the victim despite the absence of mutual geographical surroundings.

- **Cyber technology** is any set of prolific techniques which offer a significant improvement over the customary technology established in a specific historical context. What is seen as new is subject to frequent redefinition, as successive changes in technology are undertaken. Currently, and for the purpose of this study, cyber technology devices and systems could include, computers, Internet, smart mobile phones, e-mail services and social networks (Tavani & Grodzinsky, 2002).
  
- **Domestic relationships**, as defined by the Domestic Violence Act 116 of 1998, is a relationship between an accuser and respondent in any of the following ways: they are or were married to each other, regardless of law, custom or religion; they live or have previously lived together, merely shared the same residence or have shared parental responsibility of a child; they are family members related through biology or adoption; they are or were engaged or dating for any time duration (Republic of South Africa, Domestic Violence Act 116 of 1998). For the purpose of this research, a **non-domestic relationship** refers to a relationship between any individuals who do not share a relationship of any kind, or who have not previously shared one as described above.
  
- **E-mail**, as explained by Hitchcock and Page (2006: 426), is an electronic address which consists of a user name, then the “@” (called an “at” symbol), the name of the Internet Service Provider (ISP) and the designation to which the ISP has been assigned or commonly known as the domain. In the e-mail address “cyberstalker@yahoo.com,” “cyberstalker” is the user name, “yahoo” is the ISP, and “.com” is the domain category of companies.

- **Harassment**, as stipulated by the Protection from Harassment Act (Republic of South Africa, Protection from Harassment Act 17 of 2011) refers to the participation in a pattern of conduct that induces the fear of harm to someone. Such behaviour includes:
  - a) repeatedly watching or loitering near where the victim resides, works, studies or happens to be;
  - b) repeatedly making phone calls or inducing another person to make phone calls as well as engaging in verbal, electronic or any other communication aimed at the victim; and/or
  - c) repeatedly sending letters, telegrams, packages, facsimiles, electronic mail or any other object to the victim.
  
- **Instant messaging** is an online resource in which two or more people are allowed to hold a conversation. Conversations are instant because they take place in real time. Instant messaging is typically carried out through text messaging but some software allows participants to speak to each other or use video conferencing (Hitchcock & Page, 2006: 428).
  
- **Internet** is commonly known as a worldwide set of computers using Transmission Control Protocol/Internet Protocol (TCP/IP); the World Wide Web is a subset of these computers (Hitchcock & Page, 2006: 428).
  
- **Intimidation** is the uttering or conveying of a threat, or causing someone to receive a threat which provokes fear (Domestic Violence Act 116 of 1998).
  
- **Online** is the state of being in which an individual is connected to an ISP, such as AOL, E-connect or Earthlink. Anything that is done while connected to an ISP is considered being online, whether it is sending an e-mail, surfing websites, chatting or reading news bulletins (Hitchcock & Page, 2006: 432).

- **Social networks** are web-based services that permit any individual to fashion an online public or semi-public profile. The profile owner and their followers can now engage in a variety of activities such as the screening of profiles, chat interactions and games (Williams, Boyd, Densten, Chin, Diamond & Morgenthaler, [nd]). Boyd and Ellison (2008: 211) add that users are allowed to articulate and make visible their networks to other users. Also, new connections are often made that would not have been made if not for the social network.
  
- **Stalking** can be defined according to the Protection from Harassment Act (South African Law Reform, 2006: 24) as:
  1. Any person who unlawfully and intentionally engages or attempts to engage or causes another to engage in conduct—
    - (a) on any one occasion if the conduct is protracted or on more than one occasion;
    - (b) directed at a complainant or the complainant’s relatives, acquaintances, work colleagues or property; and
    - (c) that—
      - (i) is, reasonably arising in all the circumstances, likely to cause apprehension or fear of violence to, or against property of, the complainant or another person; or
      - (ii) causes detriment or distress, reasonably arising in all the circumstances, to the complainant or another person is guilty of the offence of stalking.

Although a conceptual framework of the present study is of vital importance; of equal importance are the reasons for conducting the study. The researcher thus provides a motivation and rationale for conducting the current study.

### **1.3 MOTIVATION FOR STUDY**

The researcher has a passion for the welfare of all people, the rehabilitation of offenders, the safety of the community and the fair treatment of all victims. She assumes herself to be a strong believer in promoting the prevention and awareness of crime as well as the empowerment of minority groups. It is this compassion for minority groups that has brought the plight of cyber stalking to the researcher’s attention. She

discovered that even in her small social group of peers and friends, cyber stalking was an accustomed online misdemeanour which manifests itself in many ways and degrees of seriousness.

The researcher's interest and fascination in the topic grew as she embarked on a literature review of cyber stalking and its relevant counterparts. The researcher also acknowledges discussions with and insight gained from established scholars of Criminology in her quest for understanding and clarity. The researcher concluded that there is a need for research on cyber stalking in South Africa due to its unquestionable existence and current deficiency in knowledge. The researcher believes that research in this regard will assist in giving a voice to the minority group of cyber stalking victims, the prevention and awareness of the phenomenon, as well as contribute to knowledge production in contemporary Criminology. The study seeks to enhance awareness surrounding the potential risk associated with cyber stalking for all people who make use of cyber technology.

#### **1.4 PROBLEM STATEMENT**

Within the constructs of a research population, there are a number of aspects that the researcher must identify. These aspects result in the formulation of a problem statement (Fouché & De Vos, 2005: 103). It is also important to note that a research problem must be researchable and able to rest itself within the scientific study (Babbie, 2008: 58).

Lucks (2004: 13) explains that as technology advances, society is becoming increasingly reliant on computers and the Internet. The sphere of cyberspace facilitates information to be transferred over data lines leaving millions of people vulnerable to cyber crime. Big corporations, private industries, businesses, government agencies as well as individuals and children are at risk to privacy loss, harmful viruses, child pornography, sexual predators and stalkers. The field of stalking has experienced a great deal of refinement over the last decade; however its online counterpart is still barely understood. The study of cyber stalking faces serious challenges such as

conceptual issues, a lack of information and other methodological deficiencies (Reyns, 2010: ii).

The Anti-stalking Act was recently approved by parliament and makes provision for cyber stalking victims to apply for an interim protection order against the harassment even if the perpetrator is a stranger (Anon, Anti-stalking bill ... 2011). Due to the novelty of the legislation, research should explore the awareness and practical application of this means of protection. Currently there is limited research on the phenomenon of cyber stalking and its legal protective measures. The extent of cyber stalking is difficult to document as it often goes unreported due to its legal uncertainty. Therefore, the seriousness of the problem is left unclear resulting in its limited legal application (Anon, Harassment bill rejected ... 2010). Also, despite of the overwhelming attention that the phenomenon of stalking has received over the decades, cyber stalking remains the step child of the Criminal Justice System, functioning as a mere branch of stalking. Nevertheless, Reyns (2010: 26) suggests that statistical estimates indicate that the known incidents of cyber stalking range from 3.7 per cent to 31 per cent of study participants in the few studies that have attempted to estimate its scope.

Cyber stalking occurs when a person is persistently pursued online. This online harassment invades the victims' privacy in that their every online move is monitored. It disrupts the lives of victims as they feel afraid and threatened. The phenomenon of cyber stalking is intensified as cyber stalkers do not have to leave their homes to find or pursue their targets. The cyber stalking behaviour is further fuelled as the cyber stalker fears no physical violence based on the reliance of anonymity within the realms of cyber space (Jaishankar & Sankary, 2005: 1). Miller and Morris (2012: 83) argue that cyber stalking can be just as threatening as stalking, leaving the victims vulnerable to a variety of aspects including anxiety, mental anguish and even physical harm. In this way, cyber stalking proves itself to be a menace in a technological world.

This research aims to ascertain the extent and facets of cyber stalking among victims thereof within South Africa. Furthermore the research plans to critically analyse the effectiveness of legislation and its practical application in protecting victims of cyber stalking. The researcher acknowledges that victims of cyber stalking make use of the Internet and more specifically cyber social networks; and are thus consequently left vulnerable to cyber stalking (Pempek, Yermolayeva & Calvert, 2009: 228).

In South Africa, there are several social networking applications used as a means of communication. This could be attributed to the fact that these networks are relatively cheap, easy to access, interactive and fast. According to Butler (2010), cyber bullying and harassment are on the rise, leaving young people vulnerable to victimisation. People are more likely to protect themselves from physical harm than the dangers uncovered through social networks.

This research will attempt to discover whether or not cyber stalking is taking place among participants with reference to the role of social networks in cyber stalking. The study proposes that if there is an occurrence of cyber stalking, with specific attention to social networks, then the seriousness of cyber stalking can be established and thus its legal effectiveness can be ultimately addressed. In essence, the research aspires to uncover the possible occurrence and nature of cyber stalking. It will endeavour to investigate the incidence of cyber stalking in order to contribute to the application of protective legislation. Additionally, the research endeavours to contribute to the field of Criminology by expanding the knowledge production on cyber stalking as a contemporary crime as well as addressing the legal ambiguity surrounding it. In order to achieve these objectives, the researcher needed to identify, follow and implement the necessary guidelines stipulated in the research design and methodology of the present study.

## **1.5 RESEARCH DESIGN AND METHODOLOGY**

Research methodology refers to the methods and tools the researcher makes use of to complete the research (Babbie & Mouton, 2001: 74), thus referring to the research design, data collection, data analysis and pilot study. In its simplest form, a research design is a map or blueprint of the study. It is a tactical framework for action that functions as a correlation between research questions and the implementation of the research (Durrheim, 2006: 34). Kumar (2005: 91) classifies research design as procedures that can be employed to address research questions. A good research design offers a detailed explanation of the proposed procedures with such clarity that another researcher can easily follow and execute the same steps (Kumar, 2005: 195). A narrative of the research methodology, procedures, measuring instrument and interview process will be discussed. In addition, the research ethics, validity and reliability and proposed data analysis techniques will be featured.

### **1.5.1 Qualitative research**

In this study the researcher will employ a qualitative research inquiry. A qualitative approach is multi-dimensional and interpretive. It is concerned with issues of richness, texture and raw data in order to contribute to the development of insights from the collected data (Neuman, 2000: 122). Francis (2011: 23) describes qualitative research as an inquiry to explore, describe, monitor and investigate peoples' attitudes, motives and behaviours.

The researcher will attempt to gain a first-hand holistic understanding of cyber stalking as the investigation evolves. As clarified by Fouché and Schurink (2011: 308) the qualitative researcher is focused on understanding information gathered rather than the justification of it. It emphasises natural observation as well as the exploration of reality from an insider's perspective. Important to note is that qualitative research designs are often developed as the researcher progresses in their research, using one or more of the available strategies as a guideline. In this regard, the researcher is more interested

in the experiences to be extracted from the victims of cyber stalking and not the quantity of cases. The researcher sought to indulge in an online conversation with the participants in order to maximise the richness of the received data and elaborate on the nature of cyber stalking.

Additionally, Creswell (2007: 37), a qualitative pioneer, lists the following characteristics of qualitative research:

- Qualitative researchers seek to collect data in the field at the site where the research participants experience the problem under study. The researcher specifically enlisted a cyber theme throughout the study in order to adhere to the previous statement. All the data collection methods will be conducted through cyber technology just as cyber stalking can only occur through the use of cyber technology.
- Qualitative researchers collect data through multiple forms of data, thus do not rely on a single source. The researcher will combine theory and practice as a means of data collection.
- In qualitative research, the researcher is focused on learning the meaning that the participants attach to the problem under investigation. This will be done by conducting in-depth online conversations with the research participants.
- In qualitative research, the researcher attempts to interpret the findings of the study in order to develop a complex and holistic view of the phenomenon.

This study aims to explore the possible occurrence of cyber stalking and thus expose its practical nature. It seeks to establish the present nature of cyber stalking among the victims of the phenomenon. In short, the study implements a qualitative inquiry into an investigation of cyber stalking among 12 research participants in South Africa. It determines the occurrence and nature of cyber stalking within a South African context.

Additionally, it scrutinises the effectiveness of the application of legislation in protecting victims of cyber stalking.

By means of a qualitative approach, the victims' experiences will be understood in terms of a case study analysis.

### **1.5.2 Case study analysis**

As indicated by Rule and John (2011: 1) a case study is a popular research approach chosen by many researchers in the field of social sciences. Furthermore, Rule and John (2011: 2) describe a case study as a systematic and in-depth investigation of a particular instance in its specified context as a means to generate knowledge. Davies, Francis and Jupp (2011: 345) explain that case studies may derive from individuals, social activities or groups. Additionally, the case study approach is described as a method by which the study begins wide and gradually narrows down until it reaches the data that are most relevant to the study at hand (Fouché & Schurink, 2011: 320). Through an investigation into the lives of cyber stalking victims, a case study approach needs to be implemented in order to make sense of cyber stalking in its context.

In order to conduct research in a specific area of interest, research questions need to be formulated as a practical guideline for the researcher.

## **1.6 RESEARCH QUESTIONS**

Neuman (2000: 142) highlights that research studies revolve around research questions, focusing on a particular research problem within a broad topic. In brief, research questions are the questions that the study seeks to answer (Ratele, 2006: 540). Bless, Higson-Smith and Kagee (2006: 19) add that research questions should be detailed, precise and well constructed. The research questions are based on the research problem and address the problem to assure that it can be attended to in a single study. A research question involves collecting new data about a phenomenon or

analysing existing data (Babbie & Mouton, 2001: 75). In light of the above, the following report serves as a depiction of the relevant research questions to be asked throughout the study.

### **1.6.1 Primary research question**

- How can an understanding of the occurrence, nature, impact and legal protective measures of cyber stalking facilitate the operational efficiency of related legislation?

### **1.6.2 Secondary research questions**

- Is there an occurrence of cyber stalking among participants?
- What is the nature of cyber stalking?
- What is the impact of cyber stalking on the victims?
- What are the legal protective measures against cyber stalking?
- To what extent are social networks used in the commission of cyber stalking?
- How effective is legislation in protecting victims of cyber stalking?

The research questions stipulated above function as a complimentary tool when shaping the aims and objectives of the research study.

## **1.7 AIMS AND OBJECTIVES**

The focus of the study should be able to illustrate what is included and what is left out from the study (Fouché, 2005: 116). In order to maximise the potential and understanding of this study, its aim and objectives should be clearly explained and emphasised respectively. For the purpose of this study, the former can be seen as the efforts and ambitions directed towards the end result. It involves the necessary aspects which the researcher plans to achieve or explore. The latter can be defined as the steps taken to achieve the above mentioned aim (Fouché & De Vos, 2005: 107).

### **1.7.1 Aims of the study**

- To explore the occurrence, nature and the impact of cyber stalking among research participants.
- To examine what protective measures are available as a way to facilitate the operational efficiency of related legislation.

### **1.7.2 Objectives of the study**

- To determine the occurrence and nature of cyber stalking among the victims thereof.
- To determine the impact of cyber stalking on the victims.
- To determine the extent of the usage of social networks in the commission of cyber stalking.
- To determine the legal protective measures against cyber stalking.
- To determine the effectiveness of the application of legislation in protecting victims of cyber stalking.

The above noted aims and objectives serve as an ultimate gateway to contribute to expanding contemporary Criminology in terms of the phenomenon of cyber stalking and ultimately that of cyber crime.

In light of the formulation of the research aims and objectives, the procedures undertaken in the study will be explored.

## **1.8 RESEARCH PROCEDURES**

Research procedures refer to the course of action followed in a research project. It includes the array of steps needed to be taken in order to conduct academic research (Barkhuizen, 2004: 104). The study is explorative in nature, in that it seeks to gain insight into the phenomenon of cyber stalking. It seeks to answer the 'what' question regarding the research topic. As a common feature of explorative studies, the present

study is a direct consequence of the lack of information on a new area of interest (Fouché & De Vos, 2005: 95). According to Bailey (Barkhuizen, 2004: 104) exploratory studies are embarked on for a few reasons. It serves as a means of contentment for the researcher's interest and aspiration for a comprehensive understanding of the phenomenon. It also acts as a trial study in order to test the feasibility of, and develop methods for future endeavours in the field. The present study seeks to use this explorative study as a platform to meet the researcher's curiosity, explore cyber stalking as a crime phenomenon as well as to be of assistance to research conducted in prospective studies. In addition, the study is evolved as it takes on a descriptive and explanatory dimension by applying criminological theories to cyber stalking. The focus of a descriptive design is placed on describing events and situations (Babbie, 2008: 99). The context of the participants will be taken into consideration. It is important to acknowledge the contextual background of individuals and their everyday lives as well as the influence cyber stalking may have on them. Subsequently, the procedures that were adhered to, during the research study, will be examined.

### **1.8.1 Literature review**

As cited by Semmens (2011: 67) a literature review plays a defining role in a research study as it assists the researcher in obtaining an in-depth understanding of the topic at hand. This will consequently facilitate the process of generating a carefully planned research design. In addition, a literature review allows the researcher to identify and address gaps in current knowledge or imitate findings from previous studies in new contexts. Furthermore, Davies et al (2011: 349) explain that a literature review is an evaluative summary of the focal published work in a given field of interest.

The literature review establishes the researcher's credibility as it is a demonstration of knowledge and insight in the field being studied (Neuman, 2000: 95). In essence, the researcher pays attention to the newest, most appropriate and authoritative scholarship in the field being investigated. A literature review is vital in ensuring that any prior studies on the topic at hand are not merely duplicated. Nonetheless, the literature

review should identify gaps in previous research and demonstrate how the study's findings fill a practical need (Delport & Fouché in Campher, 2006: 90).

An extensive literature review was conducted in Chapter 2 of the present study in order for the researcher to familiarise herself and her readers with the content and nature of cyber stalking. Cyber stalking is a relatively new research field of interest especially when its occurrence, nature, effects and legal protective measures are explored. It is an online misdemeanour which has not received much academic attention as yet. This dearth in knowledge is further extended when a South African context of cyber stalking is critically reviewed as research indicates gaps, flaws and deficiencies.

### **1.8.2 Researching online criminal environments**

As a result of the development of cyber technologies, researchers are gaining more interest in the use of online environments as a research tool. It is becoming increasingly apparent that the traditional research methods can be adapted to function in digital vicinities (Wall & Williams, 2011: 265). Furthermore, Wall and Williams (2011: 266) explain that although new research methods still need to be established to suit the online reality, the conventional research methods can be adapted to specific studies. The present study is focused on the online environment of cyber stalking. Cyber stalking takes place within cyber space. It is for this reason that the researcher decided to conduct the research, as later clearly explained in more detail, through the confinements of the online environment. Despite the exciting and contemporary nature of using research procedures online, a few challenges arise in this regard. For instance, the research participant is solely responsible for managing his or her identity and responses through the use of text. The researcher is then responsible for interpreting these responses. This may cause problems such as missing important verbal or visual cues (Wall & Williams, 2011: 265). The solutions to problems associated with collecting data online will be clarified in more detail within the sphere of sampling and data collection methods.

### **1.8.3 Population and sampling procedure**

Delpont and Roestenburg (2011: 193) define a population as a set of entities in which all the measurements of interest to the researcher are represented. In this study, the population will be all the participants involved in the study. It is specifically targeted at Internet users who have been or are currently victims of cyber stalking. This has been chosen for a specific purpose. Many people who use the Internet make use of electronic communication mediums such as cyber social networks (Anon, Social networking ... 2010). Therefore, they are automatically put at risk to cyber stalking.

In a concise description, Delpont and Roestenburg (2011: 193) denote the term 'sampling' as the process of taking any portion of a population as having the same characteristics or traits as the total population. Furthermore, Strydom (2011: 224) describes a sample as a subset of measurements drawn from the population of interest. Davies et al (2011: 353) indicate different types of sampling, for instance, theoretical sampling denotes a sample that is representative of the theoretical questions and concerns within a research study. However, the researcher is concerned with probability and non-probability sampling and will thus discuss these concepts respectively.

Probability sampling is rooted in randomisation and endeavours to be representative of a total population in that it is statistically constructed (Davies et al 2011: 354). Probability sampling involves drawing a portion from a fixed size, ensuring that each element of the population has an equal chance of being selected. This is achieved by drawing a random sample using a table of random numbers, lists or appendices (Strydom, 2011: 226; Kumar, 2005: 169). Probability sampling is strictly structured and statistically generated from a known population size. In the present research study, the researcher is unsure of the occurrence and extent of cyber stalking in South Africa, therefore does not know the total population size in question. The study at hand is also small in magnitude and qualitative in nature; hence it is more interested in gaining rich data than obtaining representativeness of a total population. It is for these reasons that the researcher looked for an alternative sampling method.

Non-probability sampling entails that the odds of selecting a particular individual are unknown because the population size is indefinite. Thus each unit in the sampling frame does not have an equal chance of being chosen (Strydom, 2011: 231). As a result, the sample is not representative of the total population, however; this is not the objective of the researcher. Instead, the researcher seeks to use the sample as an explorative and narrative voice of cyber stalking as it is happening in today's society. The researcher's primary interest is to explore the occurrence and nature of cyber stalking as well as examine the protective measures available to the victims thereof. Consequently in this study, richness, elaboration and details of the data received are emphasised above statistical representation of a population.

The research will make use of both purposive and snowball sampling (Davies et al 2011: 345). Purposive sampling is solely supported on the judgment of the researcher because the researcher chooses who can or cannot take part in the study (Strydom, 2011: 232). Snowball sampling is implemented when access to members of a population is difficult to gain. The researcher will identify one subject and ask the participant to suggest possible participants (Strydom, 2011: 72). Strydom (2011: 233) proposes that the sampling frame is selected consisting of people who could make up the sample until a sufficient number of cases are included. The researcher continued selecting participants until no more respondents could be identified. The sampling methods used within the study will be reported respectively. Moreover, bearing in mind the common factor sought out among participants, namely that only participants who have had a personal experience of cyber stalking were included in the sample.

- **Purposive sampling**

In purposive sampling, the authority and influence of the researcher plays a significant role. In this way, the researcher chooses the participants based on a specific criteria best suited to the study (Strydom, 2011: 232). This basis of purposive sampling is linked to criterion sampling because it entails selecting samples that meet some predetermined criterion of importance. The main function of

criterion sampling is to ensure that all the cases involved are information-rich (Creswell, 2007: 128). As follows, the researcher will be purposive in selecting the participants based on her personal judgement of the victimisation of cyber stalking. The criterion composes a sample which is representative of elements and traits needed for sampling as an initial step undertaken before the implementation of snowball sampling. This will be put into practice by purposively using the researcher's judgement to select the 12 known users of a popular social network site, as described in more detail within snowball sampling.

- **Snowball sampling**

The researcher also made use of snowball sampling (Strydom, 2011: 233). Snowball sampling is generally used when the sampling frame is unknown and when there is limited access to appropriate participants for the intended study. Snowball sampling entails approaching a single case, forming part of the phenomenon being examined, with the intention of gaining access to other similar persons. The single case identified refers the researcher to another case so that a pattern of referral is instituted. In this way, the sampling frame is selected consisting of people who make up the sample until an adequate amount of cases have been included in the study. The researcher will continue selecting samples until nobody else with those specific characteristics can be found (Strydom, 2011: 233). The researcher seeks to gain as much information about cyber stalking as possible while still confining the study to South Africa.

The researcher made use of snowball sampling through electronic channels and thus used the following procedures when sampling. A link was put up on the personal accounts of 10 known users of a popular social network site requesting the participation of cyber stalking victims. This broadened the scope of accessing participants, as friends of friends will recruit more participants as well as make more people (unknown to the researcher) aware of the study. The electronic contact details of the researcher were provided for all potential participants in the study. The potential participants were asked to contact the researcher via e-mail to receive an e-mail interview (Appendix A).

Alternatively, the potential respondents were allowed to post their e-mail address as a comment on the link so that the researcher could establish contact. An exclusive and professional e-mail account was set up to allow participants to respond and interact with the researcher. The researcher provided a brief motivation (Appendix C) for the involvement of participants by centring on the need for individual contribution to the awareness and dangers of cyber stalking. This adaption of snowball sampling allowed the researcher to enhance the cyber theme of the study by conducting its sampling techniques in cyber space.

#### **1.8.4 Selection of participants**

The sample of the study consisted of 12 participants who had been victims of cyber stalking. These participants were sampled based on purposive and snowball sampling. The research participants, who took part in the study, were between their late teens and early thirties. They varied in race and occupation. Most of the participants were female and three were male. The researcher targeted these participants with the purpose of drawing insight and information from their personal experiences and perceptions about cyber stalking in order to enhance the overall knowledge-base about this phenomenon. The researcher structured the sampling frame around the aims and objectives of the study specifically, to explore the occurrence of cyber stalking among participants as well as to examine the availability of protection measures in South Africa. The selection of participants is closely linked to the social activities which make out the focus of the research.

#### **1.8.5 Unit of analysis**

Davies (2011: 48) contends that all research questions are outlined in terms of its units of analysis. This entails data which are assembled on variables such as individuals, social communities, perspectives or events. Furthermore, the units of analysis are specific to what a research study wants to find out in their scientific pursuit. It is often narrowed down to be exclusive to what the researcher wants to investigate, for

instance, the victims and offenders of the type of crime in question as well as the inclusion or exclusion of precise age categories or genders. Fouché (2002: 107) goes on to emphasise that the unit of analysis refers to the 'what' of the study – what exactly is being studied.

In this study, the unit of analysis is compromised of each person who participated in the study. The researcher did not discriminate against factors such as age, gender race or status. The only requirement for a respondent to partake in the study is that they must have been or are currently a cyber stalking victim living in South Africa. The reasons pertaining to this is to gain as much information about cyber stalking as possible while still confining the study to South Africa.

The research consisted of 12 research respondents who had previously been or are currently victims of cyber stalking within the geographical boundary of South Africa. Their demographics differed in age, race, gender and occupation. The manners in which victimisation occurred, also differed. The only criteria needed for taking part in the study was that of a personal experience of cyber stalking victimisation.

## **1.9 DATA COLLECTION**

This section of the study comprises the means and methods of collecting data. Data are the fundamental material utilised by researchers. Valid conclusions can only be made from a research study if sound data are collected and interpreted. This will thus highlight the true meaning of the research annotations (Durrheim, 2006: 51).

In this study the researcher will make use of online interviewing as an information-collection method. This entails acquiring information through direct exchange with an individual or group who possesses knowledge of the topic in question. It is the flowing of information between the researcher and participant (DePoy & Gilson, 2008: 108). An interview relies on an interview schedule, guide or protocol. This will assist the

researcher in formulating a structured method of collecting data (Henning, Van Rensburg & Smit, 2004: 55).

Fouché (2005: 269) encourages researchers, within qualitative studies, to use research instruments which best suit the purpose of the study. The aim of the study is to explore the occurrence and nature of cyber stalking while examining the South African legal protective measures implemented against it. The study deems it necessary to gain information from research participants about their experiences with cyber stalking as a means establishing clarity and insight into the phenomenon. Since cyber stalking is carried out in cyber space it seemed fitting to engage with the research participants in the same manner. In this study, the researcher made use of e-mail interviews as a measuring instrument, as it was deemed the most effective way to obtain pertinent information from the research participants. The participants were given an option to engage in an e-mail interview with the researcher in order to maximise convenience and minimise costs. E-mail interviewing interlinks appropriately with cyber stalking as they are both electronic, Internet-based mediums. All victims of cyber stalking will be well-accustomed to using the Internet and e-mail facilities as these cyber technologies need to be familiarised in order to be a victim of cyber stalking (Mishna, McLuckie & Saini, 2009: 107). As mentioned by Greeff (2011: 353) the e-mail type of interview will be discussed.

### **1.9.1 The e-mail interview**

An e-mail interview is an interview that takes place electronically through the process of e-mail exchange. It is an interview that takes place between two people through an electronic medium. A virtual and transcribed conversation takes place through e-mail interviewing. The interviewer set up some rules and guidelines before commencing in data collection such as length of the interview, confidentiality and reminders of response. Respondents were told that their answers should be as detailed as possible to make a meaningful contribution to the research data. Moreover, an e-mail interview provides freedom in the allowance of additional questions by both the interviewee and

the interviewer. E-mail interviewing does not need transcriptions as the data are already collected in writing (Greeff, 2011: 355). Since e-mail interviewing is a relatively new method for data collection, the following advantages and disadvantages were adapted from those described by Greeff (2011: 355):

▪ **Advantages of the e-mail interview**

1. *Cost.* There is no travelling, equipment or transcribing costs. The only cost applicable to the researcher is that of Internet connection and printing facilities.
2. *Transcription errors.* These errors are reduced as information received is directly given from the participant's point of view, as he or she wants it to be recorded.
3. *Clarity.* The interviewee and interviewer can request clarification about certain questions and answers via email.
4. *Array of participants.* It is possible to interview many participants all over South Africa, as elements such as time, travel and inconvenience are eliminated.
5. *Time for reflection.* Both the interviewer and interviewee have time to reflect on the questions asked. This time allows for deeper processing of information.
6. *Disclosure of information.* The impersonal nature of the interview enables participants to disclose sensitive information that they would not necessarily do in a face-to-face interview. This assists in overcoming ambiguity, embarrassment and shame associated with cyber stalking.
7. *Simultaneous interviews.* Interviews can be conducted simultaneously, making provision for rapid collection of data.
8. *Convenience.* The interviewer and interviewee do not have to find mutually convenient times to talk to each other. The interviewee can answer the questions in their own time, privacy and leisure.

Although the e-mail interview boasts quite a few advantages as a data collection tool, there are some disadvantages that needed to be kept in mind when conducting research.

- **Disadvantages of the e-mail interview**

1. *Sample problems.* The researcher cannot be sure that the respondent was truthful in completing the interview. It should be noted however, that this is not unique to e-mail interviews as sample problems can be applied to almost all data collection techniques (Greeff, 2011: 346).
2. *Problems with simultaneous interviews.* The researcher may experience an information overload while working with concurrent interviews.
3. *Missing non-verbal clues.* Many informal cues that might be applicable to the study might be missed as a result of this electronic interaction and communication.

As the reader is now familiarised with the advantages and disadvantages of an e-mail interview, it is necessary to proceed to the structure and format of the interview.

### **1.9.2 Interview schedule**

A list of questions written as a guide to the interview is referred to as an interview schedule (Appendix C). This acts as an aid to the researcher because the predetermined questions help to engage the participant and designate the narrative terrain (Greeff, 2011: 352). An interview schedule (Appendix C) was used in the interview and served as a guideline for the interviewer. Questions used in the e-mail interview were asked with the purpose of answering the research questions of the study at hand, as previously indicated in paragraph 1.6 of the current chapter.

Semi-structured interviews were used during this research study. It involves creating a list of questions identified to be asked to the respondent, but the questions used can be modified by the interviewer to fit in with the conversation (Semmens, 2011: 63). Although the e-mail interview is organised around areas of importance; flexibility and in-depth knowledge, construction is still welcomed. In other words, semi-structured interviews allow the researcher to engage in an online conversation with the participants. Additional questions are accepted as an extension of this conversation. It also grants an opportunity for the research participant to introduce an issue that the researcher did not include in the interview schedule (Greeff, 2011: 353). It should be noted that due to the online nature of the interview, the participants were presented with the semi-structured interview in the first e-mail that they received. The researcher and participants followed the perusal of an online conversation where the researcher was able to use follow-up questions in order to create an in-depth discussion.

A semi-structured interview is closely linked to a focused interview. A focused interview is specifically constructed to determine the responses of research participants exposed to a situation previously explored by the researcher. This type of interview seeks to discover the unique aspects of the situation including the discrepancies between anticipated and actual events (Merton & Kendall, 1946: 541).

A semi-structured format was implemented to ensure that all the important facets of the study were covered. The questions were constructed based on the aims and objectives of the study as well as focal issues identified in the literature review. The researcher made use of open-ended questions within the e-mail interview. These questions provide the research participants with the opportunity to share their own responses descriptively without the restriction of categories. Open-ended questions prompt a vast array of answers depicting richness and self-expression. The primary downfall of such questions is the difficulty that arises when attempting to categorise the information received (Delport & Roestenburg, 2011: 196). In the present study, this is not a vital concern as later explained in paragraph 1.12.5 where the generation of categories, themes and patterns are discussed.

## **1.10 THE INTERVIEW PROCESS**

As mentioned earlier, the researcher made use of e-mail interviews to collect information about cyber stalking from the research participants. The setting of the interviews, procedures adhered to during the interviews and duration of the interviews will now be reviewed.

### **1.10.1 Setting of interviews**

Greeff (2011: 350) postulates that interviews with respondents should be arranged in advance. A time and place should be agreed on and later confirmed closer to the time. A quiet environment with no interruptions is encouraged. This could be in a respondent's home, professional setting or a shared location of convenience. An interview setting should be chosen based on privacy, comfort and easy accessibility. Setting arrangements should be made in the best interest of the research participant. Although extremely helpful, not all of these guidelines are applicable to e-mail interviews. The e-mail interviews were arranged in advance, through the sampling stage of the research process. During this stage, the research participants were made aware of the upcoming e-mail that would be sent to them. The e-mail interviews were sent as soon as the researcher received the participant's e-mail address. The e-mail interviews were conducted in a setting that was most suitable to the respondent as they chose it themselves. They accessed the Internet either through their mobiles, computers or laptops. In this way, a setting that was conducive was created for the research participant to complete the e-mail interview.

### **1.10.2 Procedures followed during the interviews**

As a result of the research being conducted on a small scale, the researcher dealt with each respondent's information personally. All the interviews were conducted in written English as a method of establishing mutual communication and understanding.

The e-mail interview commenced with a brief appeal for the respondent to see the e-mail attachments and fill them in accordingly. The respondent was also asked to send the completed e-mail interview back to the researcher and kindly thanked for participation. This depiction is illustrated in Appendix A. In Appendix B, the researcher clearly outlines what is meant by informed consent in terms of purpose, procedures, risks, rights, confidentiality, ethics and questions. The respondents were asked to type their initials and surname as a sign of agreement and consent. Although this does not appear as official as a formal signature, the researcher maintains that there are official e-mails from the respondents to the researcher in the researcher's e-mail account as proof that consent was obtained from the respondent.

As clarified by Babbie (2008: 72), confidentiality involves the researcher knowing the identity of the research respondent, however guaranteeing the respondent that the information will not be disclosed. The researcher emphasised that the study is confidential and will only be used for research purposes. The researcher also made it clear that the names and contact details of the respondents will not be released or published in any way as indicated in both Appendix B and C.

The researcher could not use interviewing techniques such as tape recorders as the respondents were not answering the interview questions verbally but rather in writing (Greeff, 2011: 354). However, all records of the e-mail interviews are kept and documented on the researcher's designated research e-mail account – cyberstalkingstudy@yahoo.com and on a storage device.

The researcher used the abovementioned interview schedule (Appendix C) as a guide for the respondents to focus, expand and clarify their experiences of cyber stalking.

### **1.10.3 Duration of the interviews**

The researcher estimated that the e-mail interview should take approximately twenty minutes to complete when done so undisturbed. However, due to time constraints and other commitments, the research participants were not expected to return the answered interview immediately but rather at their earliest convenience. The researcher provided a time limit of seven days to complete the e-mail interview and to return it to the researcher. Although the research stipulated this period of time, responses received later than this were received and welcomed. It should be noted that the researcher made use of many prompts and requests for participants to return the e-mail interview as soon as possible within the given time limit. One respondent indicated to the researcher that the e-mail interview took a lot of time to complete. The researcher also observed this to be true as a lengthy amount of information was given by the research respondents. The researcher realised that the e-mail interviewing process must have consumed a lot of time from the research respondents.

In addition to the data collection methods discussed, the ethical considerations of the research study needed to be explored and implemented as a consequence of engaging with people.

## **1.11 RESEARCH ETHICS**

As stipulated by Babbie and Mouton (2001: 520), ethics is the practice of being compliant to the standards of conduct of a given profession. Wahidin and Moore (2011: 288) denote ethical practice as the practical science of the morality of human acts. It is practical in that it gives clear direction as to how we conduct ourselves through our actions. It is a science as it is a collection of coherent and systematic ideas that explain and rationalise human morality. Bezuidenhout (2011: 53) postulates that ethical behaviour assumes moral principles and behavioural expectations adhered to by researchers when engaging with other people, in order to avoid harm. The following ethical considerations were kept in mind and implemented in this research study.

### **1.11.1 Informed consent**

Barlow and Durand (2009: 116) stipulate that informed consent involves providing the research participants with all the necessary information to aid them in their decision to participate or not. It is concerned with the willingness of research subjects to participate in the study. Informed consent can only be achieved once the researcher gives respondents full disclosure of all the relevant aspects of the study (Wassenaar, 2006: 73). The disclosed information given to participants must be in a clear and understandable language and the aims, methods and intended uses of the research must be patently stipulated. Henning et al (2004: 73) state that all participants must be fully informed about the research that will take place. The research participants need to know that their privacy and sensitivity as well as the information gathered from the participants will be protected. A comprehensive letter of consent was drafted and distributed to the respondents involved in the study.

The researcher made sure that each commencing e-mail had a letter of consent attached (Appendix B) to it. The purpose, procedures, risks and benefits of the study were made transparent to each participant. It was also made clear that the research participants had a right to withdraw from the study at any time as well as to raise any

questions or concerns pertaining to the study with the researcher. The participants were also guaranteed confidentiality and assured that the study meets all the ethical requirements as compiled by the researcher and stipulated by the University of South Africa.

### **1.11.2 Voluntary participation**

Babbie (2008: 67) insists that participants should not be forced to take part in a research study. In this study, all the participants were made aware of their individual right to choose to participate. This choice should be entirely up to them and they should not feel coerced in any way to take part in the study. The participants should be fully aware of all the aspects regarding the study, such as its purpose and importance. This is indicated in Appendix B and C. More so, the research participants voluntarily participated in the study as they were given a choice to make initial contact with the researcher concerning participation.

### **1.11.3 Confidentiality**

The participants were not guaranteed anonymity but rather confidentiality. This stems from the fact that the research respondents' contact details were needed in order to communicate with respondents via e-mail. However, confidentiality can be guaranteed as the participants' names do not need to be used when reporting the findings (Babbie, 2008: 72). It was also decided to consciously refrain from naming or blaming certain social networks with regards to their possible role in the maintenance of cyber stalking. The study does not find purpose or gain by placing blame on role players in cyber stalking but rather seeks to merely investigate the occurrence, nature and legal protective measures as described by literature and experienced by participants.

#### **1.11.4 Inducement**

There was no physical or tangible inducement or incentive available to the respondents who took part in the study. The researcher did not involve this aspect into the study to ensure that participants had no ulterior motives when opting to take part in the research. However, the researcher did indicate that the participants may find some relief and emotional gain from sharing their experiences of victimisation (vide Appendix B).

When researching a certain phenomenon, it is important to devise a research strategy that will reach valid and reliable conclusions (Davies & Francis, 2011: 12). The content of validity and reliability, as applicable to cyber stalking, will be subsequently discussed.

#### **1.12 SCIENTIFIC VALIDITY AND RELIABILITY**

Davies and Francis (2011: 12) assert that there are two essential aspects of validity. The first aspect of validity emphasises whether the conclusions the researcher makes are plausible for the specific context and time period under investigation. Findings and interpretations are neither right nor wrong – only more or less credible. The researcher should engage in critical evaluation throughout the investigation process in order to ensure validity. The research participants are not restricted to age, gender or location within South Africa, thus expanding the context of the study. The participants were asked to give their experience of cyber stalking, therefore they are not limited to time constraints as long as they have personally experienced it.

The second facet of validity revolves around the generalisation of the conclusions to various contexts and time periods. The extent to which the above aspects are demonstrated results in the degree of validity achieved by the research study. In a qualitative inquiry, there is not much emphasis placed on the generalisation of conclusions. Although, the data gathered are useful for interpretation and recommendations, the formulation of generalisations is not a priority. Alternatively, a qualitative study seeks to portray a descriptive analysis of data (Davies et al 2011: 353).

The reliability of data stems from the scope to which concepts and measures are well explained, consistent and repeatable (Davies et al 2011: 353). Then again, the validity of qualitative research should adhere to the following factors (De Vos, 2005a: 346):

- **Credibility.** The study should be carried out in a manner that warrants the accurate identification and description of the subject.
- **Transferability.** The applicability of one set of findings to be placed in a different context is highlighted. This will only be deemed as accurate in contexts where computers and the Internet are part of individuals' daily lives. Also, as constantly maintained within the qualitative study, transferability is not the focus of the study at hand.
- **Dependability.** The researcher makes provisions for changing and developing facets in the phenomenon as time and society progress. The researcher understands that the findings will not be fixed or static but are subject to change as the phenomenon of cyber stalking evolves.
- **Conformability.** The researcher analyses the ability of the findings to confirm the general findings of cyber stalking and lead to various propositions.

### 1.13 DATA ANALYSIS

In the process of analysing data, raw data are organised and/or manipulated in order to develop findings, conclusions and recommendations. It is the process of establishing order, formation and meaning to the mass of information gathered (De Vos, 2005a: 333). Creswell (2003: 190) clarifies that the function of data analysis is to make sense out of textual data. It involves preparing the data for analysis, examining the data collected and creating in-depth understanding. It is focused on finding a means to represent the data as well as making an interpretation of the data within a broader scope. Creswell (1998: 142) depicts the development of data analysis as a data analysis spiral. It begins with a large accumulation of data and moves in circular motions upwards, making sense of the data, until it reaches the completion of the

process. The following guidelines are recommended when attempting to analysis and interpret qualitative data.

### **1.13.1 Planning for recording data**

The researcher indulged in a thorough and systematic plan for recording data applicable to the setting and participants (De Vos, 2005a: 334). The researcher conducted electronic interviews which align the recording method with the contemporary and technological research topic. In other words, they both make use of online platforms in order to function. It was assumed that if the participants had experienced cyber stalking, in some way, they would be familiar with the use of the Internet and e-mails, hence creating an appropriate setting. Since e-mails are sent electronically, all the information obtained will be stored on the researcher's email system in both the inbox and sent box. The researcher needed access to a computer, the Internet and e-mail services to record the data obtained.

### **1.13.2 Data collection and preliminary analysis**

There is a twofold approach in data analysis, the first is at the research site during data collection and the second is the data analysis away from the research site (De Vos, 2005a: 335). The researcher attempted a preliminary analysis of the data while reading it for the first time, later returning to the same data to continue with further investigations.

### **1.13.3 Managing or organising data**

In a qualitative inquiry data obtained may often be extremely voluminous and in-depth. The data should be properly labelled with a systematic approach that organises data in terms of dates, categories and interviewing identity information. This can be easily done with the assistance of a computer. With Microsoft Office Excel data can be systematically managed and organised. Also, the process of transcribing does not need

to take place, because all the data are automatically systematically organised and saved on the researcher's e-mail server (De Vos, 2005a: 337).

#### **1.13.4 Reading and writing memos**

Many authors emphasise the crucial component of reading the data gathered over and over again. So much so that the researcher should become immersed in their findings while writing memos of key results. The researcher can also engage in a 'clean-up' process by which irrelevant data are eliminated (De Vos, 2005a: 337). Because this study is small in scale, the researcher could manually read and write memos during the process of data analysis by reviewing the e-mail interview transcripts.

#### **1.13.5 Generating categories, themes and patterns**

It is here that the formation of research begins to develop (De Vos, 2005a: 338). Creswell (1998: 144) notes that during this phase, classification begins by taking the qualitative text apart and looking for categories, themes and patterns. He suggests identifying five or six main themes and then a few subthemes underlying them. This will help to categorise data to make it easier for the researcher and the reader to understand and draw meaning from it.

#### **1.13.6 Coding the data**

According to De Vos, (2005a: 338) coding data is the formal illustration of critical thinking. The researcher must apply some form of coding to the previously identified categories, themes and patterns. Coding can make up various manifestations such as abbreviations, bullets and shapes or numbers. The researcher should take into consideration that these codes are not fixed and undergo many modifications throughout the process of analysis. Henning et al (2004: 105) argues that codes are literally made up as the researcher reads through the data. The researcher should be well familiarised with the data in order to afford the data meaning when labelling units.

### **1.13.7 Testing the emergent understandings**

During this phase the research embarks on a journey to challenge understandings and find instability in the patterns while integrating them into larger constructs. The researcher also scrutinises the usefulness of data in connection to the original research questions (De Vos, 2005a: 338). The researcher looked for patterns as well as contradictions when comparing the data collected, in the present study to previously conducted research. Additionally, the researcher made a continuous effort to align the data collected to the research questions posed in the beginning of the study.

### **1.13.8 Searching for alternative explanations**

As the researcher discovers categories and patterns in the data, an attempt should be made to test these patterns that appear to be plausible. The researcher should also seek other reasonable explanations for the data and then conclude with a depiction of the most plausible explanation (De Vos, 2005a: 339). The researcher consulted various sources in the search for alternative explanations when analysing the data.

### **1.13.9 Representation and visualisation**

During the final phase in the data analysis process, the researcher will decide on a way to visually represent the findings in some form or another be it a table, chart or written report. This method of representation must incorporate all the findings of the researcher in a clear, logical and systematic way (De Vos, 2005a: 339). The researcher decided to represent the findings of the analysis in written form as well as incorporating the use of charts.

## **1.14 PILOT STUDY OF INTERVIEW METHODOLOGY**

Piloting involves the process of 'trying out' the proposed research instrument, in this case an e-mail interview, on a population that matches the target population. Piloting allows the researcher to test which parts of the e-mail interview work and which do not. In this way, the researcher can modify the research tools in a way that best suits the study at hand (Davies et al 2011: 351).

In qualitative research, the pilot study is executed by means of gathering a few respondents who possess the same characteristics as those of the main investigation. It is informal in nature and functions as a means of ascertaining trends. The purpose is to determine whether the relevant information can be attained from the participants in the study. It should be noted that in qualitative research a statistically accurate pilot study does not play an important role when conducting research (Strydom & Delpont, 2011: 394).

A pilot study allows the researcher to test questions, focus on unclear areas in the study and to gain insight into the phenomenon under investigation. It assists in the development of effective communication patterns between the researcher and respondents. In addition, the pilot study helps to estimate the time and costs involved as well as foreseeing and addressing any problems that might arise during the actual qualitative interviews (Strydom & Delpont, 2011: 395).

### **1.14.1 Application of the pilot study**

The researcher journeyed on a quest of piloting for many reasons. The available scope of respondents was unclear. It is important to know whether or not the investigation in question applies to people who make use of electronic communication as well as knowing if it is possible to access these people. The questions in the e-mail interview were tested to gain insight on participants' understanding, clarity and ease when answering the questions. The pilot study hoped to gain new knowledge and ideas based

on the victims' perception, in order to enlighten and expand the investigation. Also, the study sought to develop clear estimations on time and costs involved in the data gathering procedure. Finally, the pilot study was used to assist in the identification of any potential problems that might take place during the study as well as correcting any existing problems within the e-mail interview.

Due to the qualitative nature of the study, the researcher did not focus on statistical data but rather looked for unique incidences of the cyber stalking phenomenon. The researcher made use of snowball sampling through the electronic channel of 'BlackBerry Messenger', also known as BBM. On this electronic communication medium there are 40 active users. A broadcast message was sent to all the users asking if any had been victims of cyber stalking, if so, they were requested to give their e-mail address so that an e-mail interview could be sent to them. The researcher received three respondents who personally experienced some sort of cyber stalking victimisation. Three out of the three respondents completed the e-mail interview satisfactorily. It should be noted that two of the participants took longer than expected to answer the e-mail interview. Subsequently, the researcher prompted them numerous times, via e-mail, to complete the e-mail interview.

The researcher identified the following problems surrounding the process of data collection by means of an e-mail interview:

- **Time limitations.** The respondents may be willing to take part in the e-mail interview but do not always have the time to answer the questions. They may take very long to get back to the researcher despite efforts to urge them to complete it.
- **Lack of incentives.** Respondents may feel that they have nothing to gain by completing the e-mail interview; therefore they may decline participation at a later stage.
- **Clarity of questions.** The researcher was made aware that one or two of the questions were not clear enough for the respondents as the questions were not answered accordingly.

- **Availability of respondents.** The researcher did not receive many respondents.

The researcher suggests the following solutions to the problems encountered during the process of data collection by means of an e-mail interview:

- **Time limitations.** The researcher will allow ample time for the respondent to complete the e-mail interview. The researcher will try to establish an online relationship with the respondent in order to create an atmosphere of responsibility.
- **Lack of incentives.** The researcher will include a motivation emphasising accountability on the respondent's part, as a victim, to play a role in prevention of cyber stalking.
- **Clarity of questions.** The researcher will rephrase all the questions that were identified as ambiguous to allow for better understanding.
- **Availability of respondents.** It should be noted that the study is small in scale and qualitative in nature to ensure insightful and comprehensive feedback. The official research study will be implemented on a broader level, as popular social network sites will be used, allowing for a larger population and more participation.

### 1.15 OUTLINE OF THE STUDY

The chapters in this research are compiled in a systematic structure in order to generate a logical train of thought for the reader. A summary of the content of the chapters will be discussed below to assist the reader in familiarisation of the research. The study is assembled as follows:

### **1.15.1 Chapter 1**

Chapter 1 serves as an introduction and orientation of the phenomenon of cyber stalking. It introduces the reader to the world of cyber space by clarifying terminology and establishing a problem formulation. The chapter also provides a detailed description of the research design outlined for the research study. It embodies the research methodology and procedures used during the study. It clarifies the data collection methods incorporated in the study and explores the research ethics, validity and reliability of the study. It concludes with a narrative of the analysis of data and summary of the chapter. The chapter aims to afford the reader the opportunity of familiarisation and understanding regarding the research study as well as to successfully comprehend the methods and techniques applied during the research study.

### **1.15.2 Chapter 2**

Chapter 2 presents a literature review on the phenomenon of cyber stalking. It examines the nature of cyber stalking in detail while analysing South African legislation regarding the matter. It also makes use of criminological theories to explain cyber stalking and concludes with an overview of research conducted on a national and international level. The literature review explored in this chapter should assist the reader in gaining insight into the phenomenon of cyber stalking.

### **1.15.3 Chapter 3**

Chapter 3 depicts a detailed representation of the data collected from the research respondents. The chapter is systematically organised into categories in order to ensure a 'reader friendly' approach. The responses of research respondents are recorded verbatim to accurately represent the participants' perceptions of their personal victimisation. The presentation of empirical research, in this chapter, aims to practically assist the reader in understanding all the facets involved in the victimisation process of cyber stalking.

#### **1.15.4 Chapter 4**

Chapter 4 analyses and interprets the qualitative data collected. Accordingly, within the constraints of social sciences, all data need to be analysed and interpreted in order for it to have meaning and value (Schurink, Fouché & De Vos, 2011: 397). This chapter systematically interprets the data collected according to themes established in chapter three of the present study and summarises the findings in terms of similarity and divergence. The analysis and interpretation of the data received afford the reader an opportunity to make sense of cyber stalking as the empirical findings are linked to current literature.

#### **1.15.5 Chapter 5**

Chapter 5 serves as closing chapter which encompasses the achievement of aims, recommendations and conclusion of the study. More specifically, the chapter looks at the limitations of the study as well as recommendations for future research as well as possible avenues for prevention and intervention. The chapter concludes with a narrative of the value of the study as it contributes to research as a whole. The concluding chapter highlights and summarises the main aspects of the study.

### **1.16 CONCLUSION**

In this chapter, an orientation and overview of the research study is given. It clarifies important concepts used throughout the study, such as 'cyber stalking' and 'harassment' in order to provide clear comprehension. It establishes a brief motivation for the study, as explained by the researcher. It also elaborates on the problem statement related to the study which highlights the problem of cyber stalking in a South African context.

Additionally, the qualitative research design is methodically discussed. This includes methodology, procedures and techniques used to conduct research. The study takes on a qualitative stance because it is interpretive and heavily reliant on the personal victimisation experience by each participant. The study engages in various research questions, the primary one being; “How can an understanding of the occurrence, nature and legal protective measures of cyber stalking inform the operational efficiency of related legislation?” In this way the research aims to explore the occurrence of cyber stalking among participants and examine the protective measures available in South Africa. As a means of collecting this information, the researcher explores a series of research procedures in this chapter. The population and sampling methods are explained and elaborated on by means of using purposive and snowball sampling methods through electronic mediums. The structure of sampling and unit of analysis are explained. Noteworthy is the discussion on data collection and the interview process where the use of an e-mail interview is explored. By means of introducing the notion of interviews, the process relating to it is subsequently discussed. An interview schedule is mapped out for the implementation of semi-structured interviews. This chapter describes the interview process, the setting for the interviews and the procedures adhered to in the interviews. A literature review is briefly touched upon as it is fully dealt with in Chapter 2 of the present study.

This chapter concludes with a narrative on research ethics by highlighting elements such as voluntary participation and informed consent. Also, the validity and reliability of scientific data are introduced as a means of substantiating the data received. Finally, a concise description of the analysis of data, as well as evidence of the pilot study conducted, is given.

The content of this chapter will be effectively implemented in Chapter 3 and Chapter 4 where the data will be interpreted and analysed in terms of research findings. The current chapter concludes with a demarcation of the subsequent chapters within the present study, with the intention of familiarising the reader with the research structure.

## CHAPTER 2

### A REVIEW OF LITERATURE PERTAINING TO THE PHENOMENON OF CYBER STALKING

#### 2.1 INTRODUCTION

In spite of the scarcity of knowledge production and collection with regard to cyber stalking, especially in the South African context, the researcher embarked on an academic journey of contributing to an understanding of some of the aspects involved in the process of cyber stalking. Although cyber stalking is currently in its infancy stages, the frequency of cyber stalking is expected to increase as the Internet continues to grow in popularity. The researcher endeavoured to contextualise the phenomenon within the larger milieu of stalking and harassment *per se*, thereby facilitating more insight into the dimensions and complexity of cyber stalking.

This discussion commences with the nature of cyber stalking, in that it incorporates the international prevalence of cyber stalking and distinguishes cyber stalking from traditional stalking. Additionally, the behaviours associated with cyber stalking are discussed as well as the offenders and victims involved in cyber stalking. Thereafter the impact that cyber stalking may have on its victims is analysed and the role of social networks is examined. The researcher then goes on to discuss international research on cyber stalking and what is known about the South African cyber stalking context. Finally, the chapter takes an in-depth look at the South African protective measures contained in legislation regarding cyber stalking, while a theoretical framework is concisely observed.

## **2.2 NATURE OF CYBER STALKING**

This section investigates the nature of cyber stalking. It seeks to do this by discussing the complex aspects of cyber stalking. The section commences with a brief inquiry into the history and origins of cyber stalking, as well as the significance of cyber space, and follows with a statistical overview of cyber stalking. The study differentiates between stalking and cyber stalking as well as discusses the behaviours associated with cyber stalking. The aspects of offending and victimisation linked to cyber stalking are subsequently explored.

### **2.2.1 Cyber crime**

The conceptualisation of cyber crime emerged from a combination of the inception of the Internet and the consistent expansion of cyber technology. Cyber crime has thus resulted in the challenge of addressing old and new crimes facilitated by the use of cyber technology (Lucks, 2004: 34). As clarified by Schell and Martin (2004: 225), cyber crime is crime allied to technology, computers and the Internet that causes harm to property and/ or persons.

The market for cyber crime is extended across the globe. The Internet makes provision for the creation and maintenance of illicit markets. Users can easily conceal their identities and be in various locations to create and participate in illicit online markets and activities (Vito & Maahs, 2012: 324; D'Ovidio & Doyle 2003:12). The nature of cyber crime therefore creates opportunities for the relatively effortless commission of covert illicit online activities.

Cyber crime is divided into two broad categories: cyber crimes resulting in harm to property, and cyber crimes resulting in harm to persons. The former category is commonly carried out using cracking techniques and includes various crimes such as flooding, virus attacks, spoofing and phreaking. These types of crime have a primary goal which is to cause harm and damage to property by means of destruction, infection,

corruption, fraud and theft. The latter category deals with the direct harm caused to persons through the commission of illegal activities. These crimes are more personal and often have lasting consequences (Schell & Martin, 2004: 30). In essence, all that is required for the commission of cyber crime is an Internet connection and an individual with criminal intent (Vito & Maahs, 2012: 331). Accordingly, cyber stalking adopts these requirements in its commission.

### **2.2.2 The significance of cyber space**

The Internet possesses innovative techniques that are significant to the sphere of cyber space. Cyber space thus inhabits the conceptual space that developing technologies have created (Small & Vorgan, 2008; 192). Cyber perpetrators can employ complicated and sophisticated strategies to obtain the victims' information (Miller & Morris, 2012: 86). Cyber space helps to sustain cyber stalking as it provides a platform for illicit and deviant activities.

Miah (2000: 211) highlights that computer culture allows its user a world of freedom, in that they can go anywhere and do anything within the realms of cyber space. Furthermore, cyber space has become an environment characterised by uninhibited consumption, voyeurism and fantasy (Miah, 2000: 212). Within the realms of cyber space new cultures are developed and practised. Vito and Maahs (2012: 331) acknowledge the Internet as vicinity for cyber crime communities to cohabit and flourish. Vito and Maahs (2012: 331) further postulate that cyber crime communities provide inhabitants with an equal playing field. These citizens are not alienated, rebuked or ostracised based on sex, age, race or marital status. They are accepted and in some instances supported and even encouraged. Miah (2000: 214) concurs that cyber space flourishes on its non-prejudicial nature. Thus, in cyber space, anybody can be whom ever they want to be.

### **2.2.3 The evolution of cyber stalking**

The nature of cyber stalking as a social phenomenon constantly changes as technology expands and advances are made, transforming it into a unique and dynamic crime. Consequently, it has thus far attracted substantial media attention, which can be a direct result of its novelty and the fascinating facets thereof (Mullen, Pathé & Purcell, 2009: 152). Unfortunately, as discovered in the exploration of the researcher, currently the academic research produced about cyber stalking does not fully address the public interest or victimological and/or criminological need for further knowledge pertaining to it.

For more than two decades the Internet was an unknown entity with limited access for most members of society. During that time period, the Internet consisted of military, academic and research networks only available to an elite access group. This was short lived as the Internet exploded, manifesting itself into a necessity for the average man (Lucks, 2004: 2). Campher (2006: 32) reports that South Africa's first connection to the Internet was to the Council for Scientific and Industrial Research (CSIR), followed shortly by the University of Cape Town. In April 1995, the Internet was privatised making it available to all South Africans (Campher, 2006: 32).

Online stalking necessitates the use of innovative techniques that continuously evolve – the technology related to cyber space making the detection thereof nearly impossible (Lucks, 2004: 36). Research has only recently attempted to academically investigate cyber stalking (Alexy, Burgees, Baker & Smoyak, 2005: 280). This explains the concise knowledge available on it in the South African context. The researcher therefore seeks to make a contribution to the existing criminological knowledge base on cyber stalking.

As the topic was researched and explored, by the researcher, through the review of the vast literature available, the difficulty in determining the official extent and spread of cyber stalking was realised. As mentioned in Chapter 1 (vide section 1.1), South Africa has no official statistics on cyber stalking and the crime is not currently listed on the

SAPS website. Researchers and academics working in this field rely on small scale studies when providing an estimate of relevant statistics. It is for this reason that the researcher only briefly discusses the general occurrence of cyber stalking

#### **2.2.4 The occurrence of cyber stalking internationally**

An American-based organisation “Working to Halt Online Abuse” (WHOA), runs an online campaign to gather information from the online community with regards to online harassment and mistreatment. WHOA is a volunteer organisation founded by a victim of cyber stalking who has become an expert on cyber crime and cyber bullying. The organisation reports receiving approximately 50 to 75 cases a week of which they only process those which are completed satisfactorily, given that respondents fill out the online questionnaire in its entirety, to facilitate the accurate and reliable calculation of statistics (<http://www.haltabuse.org/about/about.shtml>). Although WHOA is an American-based initiative and receives research respondents from the majority of their states; they also receive participation across the globe from countries such as Canada, England, Australia, India, Thailand, Netherlands, Nigeria, New Zealand and Puerto Rico (<http://www.haltabuse.org/resources/stats/2011Statistics.pdf>).

Table 2.1 highlights an exposition of the aggregate statistics relating to cyber stalking for a period of ten years as documented by the WHOA website (<http://www.haltabuse.org>).

**TABLE 2.1: COMPARATIVE STATISTICS (2000-2010) PROVIDED BY WHOA REGARDING THE REPORTING OF CYBER STALKING (N=3.393)**

<b>Variable</b>	<b>Percentage</b>
<b>Victim gender</b>	
Female	72.0
Male	23.0
Unknown	5.0
<b>Harasser Gender</b>	
Female	29.8
Male	48.2
Multiple gangs	1.2
Unknown	20.8
<b>Relationship to victim</b>	
Yes	50.5
No	48.8
Unknown	1.0
<b>Did harassment escalate online?</b>	
Yes	65.75
No	34.25
<b>Offline threats</b>	
Yes	26.75
No	73.25
<b>Did victim report harassment?</b>	
Yes	67.0
No	33.0

The statistics reflected in table 2.1 support the observation noted from the respondents in the present study who took part in the online questionnaire that females are more prone to online abuse than males are, while males are slightly more prone to perpetrating the harassment. There is only a slight margin between the victims who

know who the cyber stalker is and those who do not. The majority of the respondents reported an escalation and progression of online abuse. This means that the victims believed that the harassment continued to worsen with increased, intensified and persistent cyber stalking behaviour. The majority of respondents did not experience any offline threats during their cyber stalking, indicating that stalking mostly took place online. The statistics indicate that in most cases the harassment was reported. These statistics serve as evidence of the existence of cyber stalking as individuals took the time to complete the online questionnaires as a means of sharing their experiences.

The National Supplemental Victimization Survey (SVS) conducted in the United States of America in 2006, found a total of 3.4 million stalking victims over a one year period, or 20 per 1 000 women and 7.4 per 1 000 men who were 18 years and older (Klein, Salomon, Huntington, Dubois & Lang, 2009: 15) Of these 26 per cent were harassed through the cyber stalking *per se*. It emerged from the study that “police under-identification of stalking cases may be aggravated by their failure to note cyber stalking or victims’ failure to inform police of cyber stalking” (Klein et al 2009: 15).

### **2.2.5 Stalking versus cyber stalking**

The concepts of stalking and cyber stalking are often confused, misunderstood and misinterpreted. Stalking is a crime but only as far as the anti-social behaviour meets the legislative criteria qualifying it as a crime (Bocij, 2004: 20). Although stalking is not regarded by name as a crime in South Africa, stalking behaviour is addressed through existing offences, such as assault, *crimen injuria*, trespassing or malicious damage to property and domestic violence. Similarly, cyber stalking is distinguished as a crime through legislation such as the Protection from Harassment Act (Republic of South Africa, Protection from Harassment Act 17 of 2011). The following questions are raised in this regard. How are stalking and cyber stalking distinct from each other? Are there any similarities between the two offences? The researcher seeks to clarify any ambiguity associated with stalking and cyber stalking in order to clearly understand the nature of cyber stalking.

### **2.2.5.1 Stalking**

The definition of stalking varies across nations as well as disciplines. A clinical definition offers a clear understanding of the phenomenon. As indicated by Pathé (2002: 8), stalking is an assembly of behaviours involving recurring and persistent attempts to impose on another person unwanted communication and/or contact. These behaviours include repeated phone calls or letters as well as pursuit, approach, threats or assault by the perpetrator. Reyns (2010: 9) asserts that being stalked includes being repetitively followed in a manner that causes a reasonable person to fear for his or her safety. It is to be noted that there are two key elements in this explanation – behavioural and emotional. The former represents the repeated pursuit of behaviours as experienced by the victims. The latter is the emotional torment suffered by the victim in terms of fear, anxiety and distress. It should be emphasised that the main attribute accompanied by stalking is that it physically takes place in spatial proximity to the victim. This increases the potential physical harm to the victim and, therefore, heightened fear of the realisation of its probability.

Stalking is a social problem that has demanded the attention of not only the general public, but also the law, whereby it is constituted as an illegal act (South African Law Reform Commission, 2006: 26). The word ‘stalk’ entails the act of following one’s prey. Stalkers are often referred to as prowlers or poachers as they stealthily search for prey (Mullen et al 2009: 1). Stalking has become a part of society’s vocabulary and has become a familiar concept in modern culture (Mugoni, 2011). As defined by Mullen et al (2009: 2), stalking is the abnormal and prolonged pattern of behaviour focused on a specific individual. Furthermore, it involves continuous unwanted intrusions, communication and contact. Brown (2007: 48) denotes stalking as any unwanted contact between an offender and victim, in which threats are made directly or indirectly and which causes the victim to become fearful. Additionally, Brown (2007: 49) points out that, in the past, stalking was associated with behaviour linked to domestic violence but is now established as a substantive criminal act in its own right.

### 2.2.5.2 Cyber stalking

The term cyber stalking denotes that the stalking takes place in cyberspace, a non-physical jurisdiction in which information is exchanged and interactions occur, with the Internet being the avenue to reach this place (Hensler-McGinnis, 2008: 2). Generally speaking, cyber stalking is the use of the Internet or cyber technology systems to stalk or harass an individual by repeatedly sending messages. The acts involved here include threats of harm or intimidating behaviour. This behaviour results in a person feeling scared and unsafe. It is further defined as the use of the Internet, e-mail or any other electronic communication system to follow someone or threaten them (*Longman dictionary of contemporary English*, 2003: 390). The main disparity between stalking and cyber stalking stems from the methods of perusal occupied. Cyber stalking adheres to the repeated pursuit of a victim by exploiting various electronic communicative avenues. These online behaviours are facilitated by technological innovations that liberate potential stalkers of the spatial restriction of their recurring perusal (Reyns, 2010: 11).

As clarified by Brookman, Maguire, Pierpoint, and Bennett (2010: 199) the essence of cyber stalking engages the employment of electronic resources such as the Internet, to pursue, stalk or contact another in an unsolicited fashion. It is also emphasised that cyber stalking can result in serious physical, emotional and psychological consequences for the victim despite the absence of mutual geographical surroundings (vide section 2.2.10). Furthermore, Basu and Jones (2007) explain that cyber stalking is the use of the Internet or other communication technology to harass or menace someone. While Fraser, Olsen, Lee, Southworth, and Tucker (2010: 40) defines cyber stalking as stalking through the use of the Internet and other technological tools.

Cyber stalkers can easily obtain their victims' contact information and track their activity. They can also install a system which allows them to be alerted whenever their prey is online. Once this link is established it opens doors to various opportunities to bombard their victims with spam, subscribe them to mailing lists, free offers, pornographic web sites and other unwanted activities (Hitchcock & Page, 2006: 159).

Mullen et al (2009: 152) suggest that cyber stalking can function as a form of sexual intimidation. This stems from the notion that it potentially exposes the victims thereof to sexual denigration, exploitation or subordination.

Hitchcock and Page (2006: 159) illustrate the sexual dangers of cyber stalking with the following example.

A young lady began to receive numerous messages on her answering machine from men she did not know. They told her that they had retrieved her contact details from a website of which she was unaware. Similar events escalated until one day the victim answered her phone to find herself in a conference call with two strange men claiming to be online with her at that very moment. They further explained that they often visited a web site which portrayed photographs of her together with her saying that she wanted to be the white sex slave of a black gang. In this way cyber stalking exceeds the restrictions of trivial harm as it escalates into a serious crime such as sexual exploitation.

In South Africa the Electronic Communications and Transactions Act (Republic of South Africa, Electronic Communications and Transactions Act 25 of 2002) – also known as the “ECT Act” – coincides with the definition of cyber crime as in the Government Gazette No. 29474 dated 14 December 2006, namely: “any conduct on the Internet or connected with the Internet or Internet usage which constitutes a crime in terms of the South African criminal law, including any conduct punishable in terms of Chapter XIII of Act 25 of 2002. It also coincides with the promulgation of the Protection from Harassment Act (Republic of South Africa, Protection from Harassment Act 17 of 2011) which led to the criminalisation of cyber stalking. The relevant legislation will be discussed in due course.

Cyber stalking is often confused with stalking or regarded as a mere extension of stalking. The following account highlights the distinctiveness between cyber stalking and stalking.

### **2.2.6 The distinctiveness between stalking and cyber stalking**

There are focal differences pertaining to the two phenomena of cyber stalking and stalking.

Across the globe, governments recognise the distinctiveness of cyber stalking and stalking as it is defined and differentiated in legislation. For instance, in America, some states have cyber stalking legislation apart from stalking legislation. Also, some stalkers may never engage in stalking behaviour outside the realms of cyber space, therefore cyber stalking cannot be regarded as an extension of stalking. Lastly, the development of cyber technology will continue to lead to new types of crime, for instance there would be no computer viruses if there were no computers (Reyns, 2010: 16). In this way, cyber technology, fuels and sustains the commission of cyber stalking. These differences highlight the imperative need to investigate cyber stalking as a phenomenon in its own right.

The main disparity between stalking and cyber stalking stems from the methods of pursuit used. Stalking refers to harassment that takes place within physical proximity of the victim, whereas cyber stalking adheres to the repeated pursuit of a victim by exploiting various electronic communicative avenues. These online behaviours are facilitated by technological innovations that allow potential stalkers to pursue their victims regardless of any spatial restriction (Reyns, 2010: 11). As clarified by Brookman et al (2010: 199), the essence of cyber stalking entails the employment of electronic resources such as the Internet to pursue, stalk or contact another person in an unsolicited fashion.

In addition, Turvey (2012: 373) introduces the notion of physical stalking when he outlines a few general differences and similarities between physical and cyber realm stalking. Similarities are that in the physical world, a child who talks to strangers unattended is at risk of being stalked; while a child who participates in online chatrooms, unattended, is at risk to cyber stalking. Also, an offender who finds victims in areas that are monitored by security is at risk of being caught, as too, are offenders who acquire victims on protected online sites. Individuals who avoid giving out personal information to strangers both online and offline decrease their risk of victimisation. In this way, the conduct which increases or decreases risks of cyber stalking may be different but the principle of stalking behaviour behind the acts, or omission of acts, remain very similar.

However, Bocij (2004: 72) identifies many similarities between the victims of cyber stalking and stalking which can be used to generate common themes involved in the victimology of cyber stalking. These themes will further be explored in more detail below. The dynamics surrounding the cyber stalker, the victim as well as behaviour associated with cyber stalking will be examined next.

### **2.2.7 Behaviours associated with cyber stalking**

Although there has been relatively little information gathered by research into the behaviours allied with cyber stalking, a few common patterns have emerged (Bocij, 2004: 12). The following serves as a compilation of the major themes associated with cyber stalking behaviour.

- **Sending recurring unwanted messages**

The repetitive sending of unwanted messages is a common method used by cyber stalkers. It is often done with the use of e-mail services or social network sites in order to flood the victims' communicative systems. Victims are left feeling overwhelmed and unable to use their e-mail service effectively. This method is often resorted to by resentful stalkers who are also highly computer literate. These

assailants may either be known or unknown to their victims. E-mail and social networks are the ideal medium for sending such messages as they are relatively cheap and convenient and they also afford the offenders the opportunity to conceal their identity by using unknown accounts and anonymous e-mailers (Mullen et al 2009: 153). According to Pittaro (2011: 282), these unknown accounts are facilitated through various websites. For instance, cyber stalkers can send anonymous e-mails, in large quantities, through websites such as “The Payback” (<http://www.thepayback.com>). This website intentionally conceals and protects the sender’s name and contact information

- **Making threats**

In most incidents of cyber stalking, the cyber stalker makes threats against victims, their family or colleagues. Threats are usually made via e-mail or instant messaging. In some cases the cyber stalker may use other methods such as facsimile, text messages or social networks. The victims may receive abusive and offensive messages and even have pornography attached (Bocij, 2004: 12). The anonymity of this method allows the cyber stalker to make continuous threats and indulge in abuse and victimisation (Mullen et al 2009: 153). Pittaro (2011: 282) adds that cyber stalkers aspire to cause constant distress through a variety of threatening behaviours.

- **Spreading false accusations**

Cyber stalkers may try to harm the reputation of their victims by posting false information about them. The cyber stalker may even go as far as contacting their victims’ family or colleagues with the false information. They may also post false information about the victim on the Internet or public portals. Attacks on another’s credibility can range from malicious postings on a blog to the transmission of false claims on the Internet (Bocij, 2004: 12; Mullen et al 2009: 154).

- **Attempts to collect information about the victim**

Cyber stalkers engage in a variety of ways to gather information about their victims. These range from approaching their victims' friends, family or colleagues posing as a harmless friend or business acquaintance, to hacking into computer systems and using social networks or Internet search engines to trace people. In some cases, cyber stalkers may hire private investigators or advertise for specific information via the Internet (Bocij, 2004: 12; Mullen et al 2009: 154). Information, which was previously considered private and confidential, is now accessible through a variety of websites that often charge a fee for the provision of an individual's name, phone number, address and date of birth (Pittaro, 2011: 280). They are usually interested in gathering personal information, employment histories and financial records (Bocij, 2004: 12; Mullen et al 2009: 154).

- **Impersonating the victim**

Cyber stalkers often attempt to pretend to be their victims through various Internet services. This is done with the intention of causing humiliation and embarrassment as well as encouraging other people to take part in such abuses. For instance the cyber stalker will enter a chat room, using the victim's identity, and post sexual and degrading invitations to an online audience. The cyber stalker may also receive the help of friends or family members in replicating the behaviour in order to maximise its effects and consequences. In addition, the impersonation of victims may be used to make fraudulent orders for goods or services thus taking part in identity theft (Bocij, 2004: 13).

- **Publishing private or embarrassing information**

This behaviour is often associated with stalkers who act out of revenge and spite by circulating e-mails, posting notices, or establishing websites containing personal, and often embarrassing, details about their victims. The cyber stalkers intention is to disclose private information about their victim to cause humiliation (Mullen et al 2009: 153). A good example of this is the ongoing online battle between Cynthia Armistead and Richard Hillyard who both have websites containing degrading and

humiliating information about each other as documented on each of their personal websites (<http://psychomom.org> and <http://www.cyberstalked.org/ourstory/>) (recently updated).

- **Encouraging others to harass the victim**

Many cyber stalkers will involve third parties in the harassment process. For instance, the cyber stalker may advertise the victim's contact details with a message suggesting sexual availability. This is a common form of a harassment and often victims report to receiving hundreds of telephone calls and messages in response to such advertisements. They may also engage in stalking-by-proxy in which they enlist the help of their family and friends, claiming that they have been wronged by the victim (Bocij, 2004: 13). Spence-Diehl (2003) notes that in this way, third parties are unknowingly lured into helping cyber stalkers track and harass their victims.

- **Attacks on data and equipment**

Cyber stalkers may also endeavour to damage a victim's computer system by infecting it with a virus or destructive programme. The motive here is to harm or destroy property belonging to the victim. This method of exploitation is practised in order to cause the user distress (Bocij, 2004: 14; Mullen et al 2009: 154).

- **Identity theft**

This type of cyber stalking takes on many variations and can involve the ordering of goods and services on behalf of the victim or initiating contacts under the victim's identity in order to bring some sort of stress, humiliation or grief to the victim. This behaviour, associated with cyber stalking, is different to the traditional sense of identity theft as the motives are different. Within the cyber stalking parameters, imposed distress on the victims is intended; whereas traditionally, identity theft is practised for monetary gain (Mullen et al 2009: 154).

- **Arranging to meet the victim**

In more extreme cases cyber stalkers are known to travel to meet with their victims. This, in turn exposes the victim to many dangers. Young people are particularly at risk as they are targeted by paedophiles and other predators (Bocij, 2004: 15).

## **2.2.8 The profile of the cyber stalker**

Although there is extensive research pertaining to the classification of stalkers, the classification of cyber stalkers has received far less attention. Stalkers range from functioning as erotomanics, love obsessional, psychotic, persecutory, non-domestic or domestic stalkers (Bocij, 2004: 50; Mullen et al 2009: 58; Pathé, 2002: 19). On the contrary, with the exception of a typology developed McFarlane and Bocij (2005), there is not enough information on cyber stalking to place it into identifiable categories. Instead, research in this field, relies on a broad discussion of the cyber stalker.

Mullen et al (2009: 155) proposes that cyber stalking is pursued in a clandestine manner, with anonymity as an attractive benefit. Miller and Morris (2012: 76) agree that the dark side of the Internet is maintained through user anonymity. Lucks (2004: 1) describes the perpetrators of cyber stalking as a new breed of criminals who are highly intelligent, detached from society and unable to deal with reality. Furthermore, Meloy (1998: 11) denotes them as paranoid and self-absorbed with Mullen et al (2009: 154) highlighting their need for lust, power and control.

Cyber stalkers make use of the opportunity to perfect their wildest fantasies and deviant behaviours on the Internet. By misusing their intelligence and technological knowledge, they gain immense power by manipulating, exploiting and trapping their prey. Some predators' experiences of rejection and malice thrust them on a quest for revenge by slandering the victim's character or the use of threats and harassment. They may also feel discriminated against or wronged in some way and engage in a process of detrimental restoration. Other cyber stalkers cause malignant havoc by hacking into

computer systems whenever the opportunity arises. This results in damage of the computer system or the loss of important information (Lucks, 2004: 2).

Meloy (1998: 11) notes factors that make cyber space a potentially dangerous environment. The cyber stalker functions within a virtual world which increases the vulnerabilities of potential victims. The offender is not restricted geographically and does not even have to be physically present at the scene of the crime. Furthermore, the physical distance between these offenders and their victims may allow the offender to emotionally distance himself from his harmful behaviour within the cyber world, and this probably limits the levels of social anxiety offenders experience when they perpetrate a crime. This further facilitates the stalker's intrusions as these offenders experience less or little social anxiety within the cyber environment. This social anxiety most often functions as an inhibitor of aggression. Aggression, violence and abnormal fantasies, not normally condoned as acceptable behaviour by society, are encouraged, practised and perfected within cyber reality. This prompts concern as cyber stalkers find acceptance and even recognition for their abnormal, deviant and criminal behaviour by other deviant online users. Meloy (1998: 11) further emphasises that anonymity plays a major role in the commission of cyber stalking as the cyber stalker has the ability to avoid detection – fuelling their destructive behaviour.

In the only existing typology developed by McFarlane and Bocij (2005), cyber stalkers are divided into four categories – the vindictive cyber stalker, the composed cyber stalker, the intimate cyber stalker; and the collective cyber stalker. The vindictive cyber stalker is malicious and spiteful and threatens their victims more often than the other types of cyber stalkers. The composed cyber stalker, targets the victim in a calm and poised manner and is motivated by the desire to cause the victim constant distress. The intimate cyber stalker seeks to establish a relationship with the victim based on obsession and infatuation. Finally, the collective cyber stalker operates by involving two or more cyber stalkers pursuing the same victim. It is clear that cyber stalkers are motivated by diverse reasons for engaging in cyber stalking.

### **2.2.9 Victims of cyber stalking**

Bocij (2004: 72) explains that there are many similarities between the victims of cyber stalking and stalking. These similarities can be used to generate common themes involved in the victimology of cyber stalking. Pathé (2002: 43) divides the victims of cyber stalking into the following broad categories:

- **Previous partners**

This form of cyber harassment stems from the breakup of a romantic relationship. In many cases, the harassment begins before the relationship has ended where the victim's partner already shows signs of intrusiveness, jealousy and control. Since the ex-partner knows the victim intimately, both offline and online stalking may start simultaneously. Cyber stalking by a previous partner may consist of repeated phone calls, text messages and e-mails that are threatening and abusive in nature. Cyber stalking, committed by a previous partner, is more persistent and often more serious than cyber stalking by strangers. However, this type of stalking by a previous partner is more vulnerable to legal sanction as the South African Law clearly addresses it under the Domestic Violence Act (Republic of South Africa, Domestic Violence Act 116 of 1998). Victims of this type of cyber stalking are often overwhelmed with guilt and shame as they blame themselves for previously choosing to enter into a relationship with their cyber stalker.

- **Casual acquaintances and friends**

These victims have usually had some kind of social encounter with the cyber stalker either as friends or acquaintances. The cyber stalker may feel wronged by the victim or may mistakenly perceive that their affections are not being returned which, in turn, prompts the cyber harassment. In cyber stalking, casual acquaintances and friends also fall under the social networking category in terms of 'friends of friends', this also allows for the effortless facilitation of cyber stalking.

- **Professional contacts**

In professions that deal with clients or patients, professionals often fall prey to victimisation through cyber harassment. This is especially true with professions that deal with mentally ill people who can easily misinterpret sympathy and concern for romantic affection. Transference may even take place between a lawyer and a client or when a doctor's patient confuses compassion for love, or when the physical nature of the encounter is mistaken for sexual overtures. It may even occur between a religious minister and a member of the congregation (Barlow & Durand, 2009:20). These victims are often harassed through phone calls, letters, e-mails and gifts which result in great distress, disruption and disillusionment in their chosen professions. This has overwhelming consequences for the professional's reputation.

- **Work colleagues**

Cyber stalking in the workplace is usually perpetrated by fellow colleagues but can even be extended to include cases involving clients or customers. Resentment, jealousy and rejection are the most common reasons for their victimisation. These victims may be subjected to threats and harassment which take place in various electronic ways. The type of stalker usually monitors the chosen victim's work performance closely in order to criticise their victims and get them into trouble.

- **Strangers**

Victims in this category have had no prior contact with their stalkers or may be oblivious to ever having had any form of contact with their stalker. Victims are usually targeted based on their social status or attractiveness. Women are usually stalked, however, men and children may also fall victim to cyber stalking depending on the stalker's preferences. It should be noted that the duration of this type of cyber stalking is usually relatively brief. Additionally, Pitarro (2011: 280) states that there has been an increase in the amount of cyber stalking cases perpetrated by strangers, as the Internet grants cyber stalkers access to a vast amount of personal information.

- **Celebrities**

These victims are often encountered due to their fame, which includes politicians, royalty, sports stars, actors and singers. Some celebrities attract multiple pursuers. These victims are tormented by cyber stalkers who have intimacy and incompetency issues resulting in dangers such as threats, slander and continual harassment.

- **Secondary victims**

These victims are those who are indirectly harmed by the stalking. Secondary victimisation involves the indirect victims of the cyber stalker and may range from the victim's current partner to friends and family and work colleagues. The cyber stalker may target the victim's partner, who is viewed by the cyber stalker as romantic competition. Family and friends of the victim can attract the cyber stalker's fury if they are portrayed as protecting or 'brainwashing' the victim against the cyber stalker. Pitarro (2011: 283) notes that the absence of physical contact between the cyber stalker and the victim results in police officials dismissing the victim's claims. This behaviour consequently prompts secondary victimisation.

### **2.2.10 The impact of cyber stalking on victims**

As is the case for many themes in relation to cyber stalking and stalking, there is relatively little exclusive research done on the impact of cyber stalking on victims as compared to that of stalking. Alternatively, researchers in this field adapt the impact of stalking to the victims of cyber stalking (Bocij, 2004: 80; Pathé, 2002: 51; Brown, 2007: 63). It should be noted that not all victims of cyber stalking experience the same effects and the impact may vary according to personality and degree of the seriousness and extent of the cyber stalking behaviour (Bocij, 2004: 81). Although the harm experienced by both the victims of cyber stalking and stalking is often unobserved or deemed insignificant (Sheridan & Grant, 2007: 11), this discussion seeks to draw attention to the impact of cyber stalking on its victims (Bocij, 2004: 80).

Cyber stalking often produces psychological effects on the victims (Bocij, 2004: 80; Pathé, 2002: 51; Drahoukoupilová, 2007: 152). As distinct from most crimes, cyber stalking involves repetitive and persistent behaviour. The victims of cyber stalking experience numerous forms of harassment, as opposed to a once-off event of misconduct, characterised by unpredictability and threats. Research indicates that stress related symptoms are more likely to develop when individuals experience inescapability under threat for a prolonged episode, as often transpires in cyber stalking. The stress prompted by cyber stalking results in the victim feeling helpless and powerless (Pathé, 2002: 51). Likewise, Bocij (2004: 80) reports that victims of cyber stalking often suffer from “depression, anxiety, guilt, shame, helplessness and post-traumatic stress disorder (PTSD)”. Additionally, cyber stalking victims may suffer feelings of loss of control, seclusion, self-blame, hyper vigilance, and over activity. The victims may also experience relentless feelings of intense fear. Cyber stalking may produce distress and a forceful sense of infringement among victims. In some cases; victims of cyber stalking are vulnerable to psychiatric disorders and suicidal tendencies (Drahoukoupilová, 2007: 152). A frequent observation among researchers interested in the psychological effect of stalking and cyber stalking, bring to light the secondary victimisation that may occur when professionals undermine the seriousness of the trauma experienced by the victims (Bocij, 2004: 81; Drahoukoupilová, 2007: 152; Pathé, 2002: 51). The psychological effects of cyber stalking bear witness to the possible detrimental dangers experienced by the victims thereof. Although these effects are not extended to all the victims of cyber stalking, when they do occur, they disrupt lifestyles. The impact of cyber stalking is not limited to psychological effects, but also produces sociological consequences among its victims.

Cyber stalking may cause victims to alter their lifestyles in terms of interpersonal, professional and general social functioning. For instance, victims may change their personal contact information such as telephone numbers, e-mail addresses or even their names. Moreover, they may remove their contact details from public portals, change their daily routines, suspend previously enjoyed activities, find new jobs and schools for their children, relocate and or end communication with family, friends or

colleagues. Naturally, victims squander a lot of energy, time and money in achieving the above mentioned changes (Drahokoupilová, 2007: 152). Furthermore, Pathé (2002: 52) notes that cyber stalking may bring about avoidance of certain locations, the installation of extra security measures and restriction of social interactions. Within cases of cyber stalking, victims may also resort to restricted or discontinued access to online activities such as social networks, chat rooms or e-mail services. The impact of cyber stalking may also transform into physical and tangible effects.

Bocij (2004: 82) identifies physical effects of cyber stalking such as sleep disturbances including nightmares, falling asleep or staying awake. In addition, some people may develop intimacy and weight issues. In more serious cases, victims may be vulnerable to substance abuse as a means of gaining relief from a hopeless situation. Pathé (2002: 52) point outs physical effects such as 'jumpiness' or panic attacks, poor concentration, weakness, fatigue, nausea and headaches. It is evident that such physical symptoms are likely to interfere in all aspects of a victim's life.

A case study documented by Petherick [nd] demonstrates the psychological, sociological and physical impact of cyber stalking. A female victim met her perpetrator at church and after numerous romantic gestures she rejected his attempts of consolidating a relationship. In retaliation, the perpetrator posted her personal details on the Internet. Some of these details include her physical description, contact number, physical address and details on how to evade her home security system. Additionally, he posted untrue allegations about rape fantasies regarding the victim on online portals. The victim reported to suffering psychological effects as a result of the cyber harassment, such as intense fear of leaving home, stress, humiliation and helplessness. Sociologically, the victim faced various disruptions such as being forced to relocate and losing her job. She was also constantly disrupted and disturbed by the persistence of unknown men contacting her and coming to her home as directed by the online posts made by the perpetrator. Furthermore, the victim says that she suffered from weight loss as prompted by the cyber stalking behaviour.

The above account illustrates how cyber stalking has the potential to manifest itself into a serious psychological, sociological and physical danger. Its nature is made clear and more comprehensible when evaluating the intangible and tangible impact on victims of cyber stalking.

### **2.3 SOCIAL NETWORKS AS A RISK OF CYBER STALKING**

Contemporarily, online social networking has transitioned from a niche phenomenon, in that it was only used by a few people, to mass adoption. The massive increase in participation within these social networks has also seen a development of variation and sophistication of function and usage patterns across various social networking sites (Gross & Acquisti, 2005: 71). Millions of users adapt social network sites into their daily lives as it has become a lifestyle trend (Boyd & Ellison, 2008: 210).

Through social networking technology, a social, collaborative and interactive podium has been created for Internet users to interact and communicate with each other by creating online profiles. As social networks advance and expand, so too, does the level and intensity of socialisation among Internet users. Users tend to become more open and candid, even desensitised, when expressing their personal thoughts and sharing information and thus become vulnerable to Internet violations (Haron & Yusof, 2010).

Hill (2010) explains that a social networking web site is a virtual environment where people can connect with each other. Users can customise their profiles with pictures, details about their personal interests and values and they can provide contact information. An e-mail address is the only requirement needed to set up a profile on a social networking web site. Social networks allow their members to create a profile, a representation of themselves for others to follow with the intention of among others; contacting or being contacted by others, to meet new friends or romantic interests and find new jobs (Gross & Acquisti, 2005: 71).

Cyberspace has multidimensional implications for an individual's social identity. An individual enters cyber space in many different ways – by entering a newsgroup or e-mail discussion group, playing an online virtual game or even just browsing social network sites. The management of identity is linked to the management of cyberspace (Taylor & Spencer, 2004: 235). In this way, users become their own promoters through the media as they gain the public's interest and response. They promote themselves by sharing their opinions publically through status updates, debating on subjects or matters, communicating with authors other as well as publishing personal experiences through blogs (Anon, Cyber stalking ... 2011). Hill (2010) warns against this, arguing that the Internet is not an appropriate place to write an autobiography. In fact, he heeds that one should be extremely guarded when sharing personal information online. Furthermore he advises users to be cautious on who is let into their circle of online friends. People do not realise how much information they post on the Internet, leaving trails or significant information for cyber stalkers. Cyber stalkers use e-mail addresses, phone numbers, street addresses or even instant messaging to stalk their victims. In addition, provocative and recognisable photos on online profiles increase individuals' vulnerability to cyber stalking. They are viewed as easier targets than those who do not have photos of themselves posted. There appears to be general consensus among researchers that although social networks cannot be identified as the sole cause of cyber stalking; they do facilitate and help fuel cyber stalking as a deviant behaviour (cf Gross & Acquisti, 2005; Haron & Yusof, 2010; Hill, 2010; Taylor & Spencer, 2004; Anon, Cyber stalking ... 2011; Smith, 2011).

Smith (2011) indicates that according to research conducted by the British Electronic Communication Harassment Organization (ECHO), social networks are often used as a channel for harassment and intimidation. More victims reported to having been tracked down through social networks than on dating sites. The study also concluded that in the case of cyber stalking, perpetrators were likely to be strangers, resulting in unclear motives for the harassment. Although social network sites are rated as the most common medium used in cyber stalking, victims are also located through search engines, online forums, message boards, chat rooms or electronic mail. Hill (2010) links

the commission of cyber stalking to the popularity of social networks such as *Facebook* and *MySpace*.

## **2.4 INTERNATIONAL RESEARCH**

The conception of cyber stalking evoked much international interest during the development of technology, thus generating an extensive body of knowledge about it (Bocij, 2004; Brookman et al 2010; De Angelis & Sarat, 2000; Higgins, 2010; Hitchcock & Page, 2006; Jewkes, 2007; Whitty & Joinson, 2009). Despite this wealth of knowledge there are still no clear universally accepted guidelines pertaining to the nature and extent of cyber stalking, as research is often confined to small-scale studies which cannot be generalised. The following dialogue serves as a critical account of literature and research studies collated on cyber stalking.

A variety of research studies conducted internationally on cyber stalking and the dangers of social networks targeted students, as respondents, in a university environment (Finn, 2004; Alexy et al 2005; Williams et al [nd]). The selection of this particular sample group could be attributed to the availability and easy access to the research population of students. It may well be that the ever increasing use of the Internet by students is resulting in their amplified vulnerability to cyber victimisation (Finn, 2004).

In a study done in the United States of America (USA), researchers share their findings on social networking privacy and risks. Some of these findings indicate that younger individuals (15 to 24 years old) are very concerned about information privacy and thereby decrease their chances of victimisation. In addition, findings further revealed that the amount of information that users post may lead to them falling prey to cyber stalking (Williams et al [nd]). The researcher seeks to challenge the finding that younger individuals appear to be more vigilant regarding the sharing of private information online. The researcher is of the opinion that this may not be applicable to youngsters in the South African context as their youthfulness may increase carelessness and

negligence in the cyber realm. However, the latter observation regarding the amount of information that users post, supports the view of the link between the level of information posted online and the potential risk of victimisation.

An informative study by Finn (2004) looked at the perceptions of cyber stalking among university students. It made use of scenarios to gain insight into the students' perceptions on cyber stalking. It was found that approximately 15 per cent of all the respondents reported falling prey to some form of cyber stalking. It is noteworthy that often researchers found that many of the participants were not aware that cyber stalking constitutes a criminal offence, therefore they preferred to use the term 'online harassment' when discussing cyber stalking (Finn, 2004; Alexy et al 2005). The researcher took this into account during the data collection phase of the study.

In a more comprehensive analysis, Bocij (2004) provides detailed descriptions and case studies relevant to cyber stalking. This serves as an indication of the extent and seriousness of cyber stalking in international documentaries. One account portrays a case of the cyber stalking of a mother and daughter that persisted for a year. It started with threatening e-mails, obscene messages from anonymous e-mailers as well as e-mails sent of nude women with the victim's facial photograph and name attached. The mother received numerous messages from people responding to sexually explicated advertisements placed about her online. Due to the fear and distress experienced by both the mother and daughter, the family moved three times in the same year to escape the harassment. State authorities only intervened when the stalker started physically following the victim (Bocij, 2004: 16). The researcher seeks to draw insight and encouragement from Bocij's research on the phenomenon.

In an informative cyber crime book by Hitchcock and Page (2006: 5) the author shares her own personal experience of cyber stalking victimisation. She recalls it commencing with receiving countless spam emails from an unknown individual. It later started to progress to abusive e-mails being sent out to the victim's colleagues from the assailant, posing as the victim. The perpetrator would also harass the victim by imitating her

online persona and posting offensive comments about certain groups of people. The cyber stalking escalated when online advertisements were placed on the Internet, suggesting sexual innuendos from the victim. The victim's home address and phone number were provided. The harassment climaxed when the perpetrator threatened harm by means of rape and death to the victim. Due to intense fear and discomfort, the victim decided to relocate with her family. The perpetrators were apprehended and criminal and civil charges were laid against them. This account portrays a detailed description of the experience of a cyber stalking victim depicting the escalating harm they endure.

Similar research is needed to specifically address the South African cyber stalking context.

## **2.5 WHAT IS KNOWN ABOUT THE SOUTH AFRICAN CONTEXT?**

In South Africa, a web survey conducted in 2009 (Anon, Social networking ... 2010) revealed that 43 per cent of social network users connect via the Internet and 35 per cent via their cell phones. This illustrates the extent of the usage as well as the diverse portals available to access social networks. The research indicates that 74 per cent of South Africans specifically go online to visit social networking platforms thus signifying active participation in social networks. A quarter of the survey participants have more friends online than they know and interact with in real life. Interestingly, just under half of the participants feel vulnerable to abuse by sharing their details online and 21 per cent have experienced a breach of their privacy on the Internet. In addition, the study revealed that 36 per cent of the respondents admitted to using a pseudonym online – indicating the anonymity that the Internet provides not only to potential victims but also offenders (Anon, Social networking ...2010). These statistics indicate the frequency of the use of social networking sites and the vulnerabilities it creates among its users. Although the findings obtained from the survey are very enlightening, the study's only focus was on social networking as a phenomenon. It does not validate the occurrence of cyber stalking but merely associates the potential of stalking behaviour with social

networks. The study fails to go into any detail about stranger cyber stalking, thus contributing to the ambiguity regarding protective legislation.

In research done by the Youth Research Unit (YRU) of the Bureau of Market Research of the University of South Africa (UNISA) in 2011 (Basson, Van Aardt & Tustin, 2011), the nature and occurrence of online victimisation is highlighted. The nationwide survey targeted young people between the age group of 12 and 25 years old. Of the results, almost 15 per cent of the respondents felt threatened by online harassment of which the majority who felt this way fell within the 16 to 18 year old category (Basson et al 2011). The research conducted by the University of South Africa indicates the risk of online harassment faced by young people across the country, thus highlighting it as a potential crime phenomenon needing more research and academic understanding and insight.

In an otherwise comprehensive and detailed article concerning various cyber crimes and its legal consequences in South Africa, Snail (2009) neglects to highlight cyber stalking as a threat. Snail (2009) does, conversely, discuss its relevance and legal implications with reference to USA legislation. Snail (2009) takes into account the opportunities that computer criminals have to access sensitive information about their victims as well as the financial burden placed on victims to ensure protection. However, it does not directly link these risks to cyber stalking victims, therefore broadening the elusiveness surrounding the crime and its legislative regulation.

In an enlightening article by Mugoni (2011), the author highlights the dangers of the Internet especially to women. She writes that more and more people are obviously sharing personal information online. Research suggests that 57 per cent of young women (18 to 34) prefer to chat online rather than face-to-face; opening the doors to victimisation. The author urges readers to become more computer literate as they are unknowingly allowing themselves to fall prey to cyber stalking. She concludes by labelling the Internet as paradoxically both a tool of empowerment and a mechanism whereby women can be terrorised. Mugoni (2011) identifies women as vulnerable targets of cyber stalking.

All the studies discussed thus far paint a picture of the research gathered in South Africa and the limitations of the current literature focusing on cyber stalking.

As already established, stalking behaviour is now defined as a substantive criminal act in its own right. Therefore the following criminal behaviour and subsequent protective measures contained in legislation regarding cyber stalking are applicable to the South African context.

The researcher plans to incorporate the acquired knowledge into careful deliberation when conducting the study as well as addressing the gaps identified within a South African context.

## **2.6 SOUTH AFRICAN LEGISLATION**

### **2.6.1 The Electronic Communications and Transactions Act**

The Electronic Communications and Transactions Act 25 of 2002 (ECT Act) (Guide to the ECT Act, 2005) was drafted into South African law on 30 August 2002. It came about as a mechanism whereby the government could establish a formal structure to define and regulate e-commerce in South Africa. The Electronic Communications and Transactions Act has a direct impact on any illegal actions associated with electronic communications, data messages and transactions. It pertains to all forms of communication such as e-mail, the Internet or short message services (sms), cellular phone and digital cameras. The Act also functions as an informative and enabling resource in which concepts are legally identified and defined in order to resolve any ambiguity relating to e-commerce (Guide to the ECT Act, 2005).

Section 1 of Act 25 of 2002 contains the definitions of certain words and/or phrases that are relevant for the purposes of this discussion of cyber stalking:

- **Automated transaction** means an electronic transaction conducted or performed, in whole or in part, by means of data messages in which the conduct or data messages of one or both parties are not reviewed by a natural person in the ordinary course of such natural person's business or employment;
- **Data** means electronic representations of information in **any** form [own emphasis];
- **Data message** means data generated sent, received or stored by electronic means and includes:
  - voice, where the voice is used in an automated transaction; and
  - a stored record;
- **E-mail** means electronic mail, a data message used or intended to be used as a mail message between the originator and addressee in an electronic communication;
- **Electronic communication** means a communication by means of data messages;
- **Information system** means a system for generating, sending, receiving, storing, displaying or otherwise processing data messages and includes the Internet;
- **Internet** means the interconnected system of networks that connects computers around the world using TCP/IP and includes future versions thereof;
- **Web page** means a data message on the World Wide Web (WWW); and
- **Web site** means any location on the Internet containing a home page or web page.

Chapter XIII of the Act, and in particular Sections 85 to 89, seek to make the first statutory provisions for cyber crime in South African jurisprudence. The Act seeks to introduce statutory criminal offences relating to information systems and it includes:

- unauthorised access to data;
- interception of or interference with data;
- computer-related extortion;
- fraud; and
- forgery.

Cyber crime is defined in terms of item 4 of the *Guidelines for Recognition of Industry Representative Bodies of Information System Service Providers*, which appears in Government Gazette No. 29474 dated 14 December 2006, as:

[A]ny conduct on the Internet or connected with the Internet or Internet usage which constitutes a crime in terms of the South African criminal law, including any conduct punishable in terms of Chapter XIII of Act 25 of 2002.

With regard to *cyber crime*, referred to in Chapter XIII, Sections 85 to 89 are reflected upon below.

In terms of Section 85 “access includes the actions of a person who, after taking note of any data, becomes aware of the fact that he or she is not authorised to access that data and still continues to access that data.”

Section 86 (Government Gazette No. 29474, 14 December 2006) regulates unauthorised access to, interception of or interference with data as follows:

*Unauthorised access to, interception of or interference with data*

- (1) Subject to the Interception and Monitoring Prohibition Act, 1992 (Act No. 127 of 1992), a person who intentionally accesses or intercepts any data without authority or permission to do so, is guilty of an offence.
- (2) A person who intentionally and without authority to do so, interferes with data in a way which causes such data to be modified, destroyed or otherwise rendered ineffective, is guilty of an offence.
- (3) A person who unlawfully produces, sells, offers to sell, procures for use, designs, adapts for use, distributes or possesses any device, including a computer program or a component, which is designed primarily to overcome security measures for the protection of data, or performs any of those acts with regard to a password, access code or any other similar kind of data with the

intent to unlawfully utilise such item to contravene this section, is guilty of an offence.

- (4) A person who utilises any device or computer program mentioned in subsection (3) in order to unlawfully overcome security measures designed to protect such data or access thereto, is guilty of an offence.
- (5) A person who commits any act described in this section with the intent to interfere with access to an information system so as to constitute a denial, including a partial denial, of service to legitimate users is guilty of an offence.

In Chapter XII and XIII of the ECT Act, (Guide to the ECT Act, 2005) provisions are made for cyber inspectors and cyber crime respectively. The Act instructs the Department of Communications to appoint cyber inspectors. These cyber inspectors are authorised to monitor Internet websites in the public domain to ensure that service providers comply with relevant provisions. The inspectors, subject to obtaining a warrant, are afforded powers of search and seizure. Inspectors are also expected to assist the police or any other investigation bodies on request. With regards to cyber crime the Act attempts to pioneer statutory criminal offences relating to the following key issues. It addresses unauthorised access to data such as 'hacking' and trading passwords to commit an offence. Interception (tapping into data flows) and interference with data (launching virus attacks) are now seen as illegal. It challenges computer-related extortion such as fraud and forgery in order to tackle the unlawful financial gain of offenders through the use of technology. In addition, the Act states that any person assisting another in the performance of any of the above crimes will be guilty as an accessory. The penalties involved in such transgressions range from a fine to imprisonment for a period not exceeding six months (Electronics Communication and Transactions Act 25 of 2002).

### **2.6.2 The Domestic Violence Act**

The Domestic Violence Act 116 of 1998 was integrated into South African law in order to provide protection orders addressing domestic violence and any other matters relating to it. It recognises that there are high levels of incidents of domestic violence and that it is a social evil. It also identifies the victims of domestic violence to be vulnerable members of society. The Act is strictly based on the South African

Constitution, 1996 which offers the right to equality, freedom and security (Domestic Violence Act (Republic of South Africa, Domestic Violence Act 116 of 1998).

The Act makes clear provisions for terminology related to domestic violence. It describes a domestic relationship as one in which two people share a relationship in various ways. These ways include, marriage (culturally, legally or religiously), living together, joint parental responsibility, family members, dating, engaged or any intimate or sexual relationship for any duration of time. Domestic violence includes various abuses such as physical, sexual, economic, emotional, psychological, or intimidation, harassment and stalking. The Act makes provision for harassment which includes electronic incidences of harassment. It also addresses intimidation and stalking accordingly. Victims of such actions can apply for a protection order and the seizure of arms and dangerous weapons belonging to the accused. If perpetrators violate the protection order they are liable to arrest (Republic of South Africa, Domestic Violence Act 116 of 1998).

The Act is extensive in guarding the rights of victims of domestic violence. It even goes as far as including cyber harassment and stalking as a serious misdemeanour against society. However, the Act is only suitable for people who are or were in a domestic relationship with the accused. It makes no allowances for victims of cyber stalking perpetrated by a stranger.

### **2.6.3 Protection from Harassment Act**

Although the legislation took seven years in the making, it was tabled in Parliament in February 2010, approved in August 2011 and published in Government Gazette 34818 on 5 December 2011 (Republic of South Africa, Protection from Harassment Act 17 of 2011). The Protection from Harassment Act was purposively designed to address harassment and stalking incidences whereby the assailant and victim do not have a domestic relationship. This includes stalkers who are neighbours, friends or even strangers (Wyndham, 2010). It has been drafted by the South African Law Reform

Commission to bring it in line with existing norms (Hartley, 2010; Anon, Anti-stalking bill ...2011; Anon, President gives nod ...2011).

In terms of Section 1 of Act 17 of 2011, "harassment" means directly or indirectly engaging in conduct that the respondent knows or ought to know:

- (a) causes harm or inspires the reasonable belief that harm may be caused to the complainant or a related person by unreasonably-
  - (i) following, watching, pursuing or accosting of the complainant or a related person, or loitering outside of or near the building or place where the complainant or a related person resides, works, carries on business, studies or happens to be;
  - (ii) engaging in verbal, electronic or any other communication aimed at the complainant or a related person, by any means, whether or not conversation ensues; or
  - (iii) sending, delivering or causing the delivery of letters, telegrams, packages, facsimiles, electronic mail or other objects to the complainant or a related person or leaving them where they will be found by, given to, or brought to the attention of, the complainant or a related person;
- (b) amounts to sexual harassment of the complainant or a related person.

In terms of the same section, "harm" is defined as any mental, psychological, physical or economic harm.

"Sexual harassment" in turn is defined as any-

- (a) unwelcome sexual attention from a person who knows or ought reasonably to know that such attention is unwelcome;
- (b) unwelcome explicit or implicit behaviour, suggestions, messages or remarks of a sexual nature that have the effect of offending, intimidating or humiliating the complainant or a related person in circumstances, which a reasonable person having regard to all the circumstances would have anticipated that the complainant or related person would be offended, humiliated or intimidated;
- (c) implied or expressed promise of reward for complying with a sexually oriented request; or
- (d) implied or expressed threat of reprisal or actual reprisal for refusal to comply with a sexually oriented request.

As conveyed by Radebe (2010), the Act intends on dealing with stalking by means of a swift, easy and affordable civil remedy in the form of a protection order.

A key component of the Act is that it attempts to cover all forms of harassment (Anon, President gives nod ... 2011). Although the concept “stalking” is not defined in this Act, it is acknowledged in terms of the Domestic Violence Act (Republic of South Africa, Domestic Violence Act 116 of 1998). Section 1(2) of the Protection from Harassment Act (Republic of South Africa, Protection from Harassment Act 17 of 2011) states that “This Act does not prevent a person who may apply for relief against harassment or stalking in terms of the Domestic Violence Act, 1998 (Act No. 116 of 1998), from applying for relief in terms of this Act”, while Section 10(5) (a) of the same Act reads that with regard to a complainant who is not in possession of or not in the process of applying for a protection order against harassment or stalking (as provided for in the Domestic Violence Act 116 of 1998), a court may not refuse to issue a protection order or impose any condition or make any order which it is competent to impose or make in terms of this section, merely on the grounds that other legal remedies are available to the complainant. It is the contention of the researcher that a similar meaning should be attached to the concepts harassment and stalking in terms of the Protection from Harassment Act 17 of 2011 and the Domestic Violence Act 116 of 1998 respectively. The social construct of “stalking” is preferred for the purposes of this study and to equate the behaviour previously explained with that of cyber stalking described in international and local literature.

The Act, therefore, recognises that former legislation regarding stalking does not make provision for cyber stalking; thus going largely without censure or sanction. Alternatively, the Act includes cyber stalking as a criminal offence making it easier to prosecute. Courts now have the authority to consider whether reporting or posting damaging content online can be constituted as harassment (Anon, New anti-stalking Bill ... 2009) The Act contains a mechanism in which a victim of cyber stalking can apply to the court for an interim protection order against harassment even if perpetrated by a stranger. In addition, the courts are allowed to issue instructions to the South African Police Service

(SAPS) to assist applicants in tracing the identity of the cyber stalker (Anon, Anti-stalking ... 2011). Radebe (2010) elaborates on this by explaining that not only does the Act permit the assistance of the SAPS in determining the identity of the perpetrator but also makes provisions in the form of a discretion in terms of which police officials can assist victims of stalking to trace and identify their harassers even before they launch an application for a protection order. Previously, the police were restricted as they did not have the powers to investigate complaints of stalking if no criminal action can be proven. This Act now creates liberty for this investigation to be undertaken.

The protective measures involved in the legislation maintain that a protection order can be issued instructing the harasser to end the harassment. If the harasser breaches the order, he or she will be guilty of an offence. The legislation also provides, in certain circumstances as judged by the courts, for the issuing of an interim order without the knowledge of the harasser. A victim of cyber stalking is allowed to apply to a court for an interim protection order even if the harasser is unknown. Persons going against a condition of a protection order may be convicted of an offence, and a fine or a period of imprisonment not exceeding five years (Anon, President gives nod ...2011).

#### **2.6.4 *Crimen injuria***

*Crimen injuria* is the unlawful, intentional and serious harm to the dignity of another person. (South African Law Reform Commission, 2003: xxxvi). The SAPS further defines *crimen injuria* as the serious and intentional impairing of another person's privacy (SAPS, [http: ///www.saps.gov.za/crimestop/common\\_offence\\_definition.htm](http://www.saps.gov.za/crimestop/common_offence_definition.htm)). It is a very intricate task to categorise the actions involved in the commission of *crimen injuria* as well as to determine the extent of seriousness. The criminal or naive character of the actions would depend on a variety of circumstances. These consist of the place where the actions were employed, the time of commission, the relationship between the parties, age and status. The reason for the complexity rests on the definition of dignity. Dignity is encompassed by the human claim to respect for the purpose of maintaining self-respect, mental tranquillity and privacy. These concepts need to be objectively and

subjectively judged. The former, in that the South African law accepts that each party involved in a *crimen injuria* dispute is entitled to dignity. The latter is dependent on the aggrieved party's circumstances – as to whether or not dignity was impaired (South African Law Reform Commission, 2003: xxxvii).

In addition to the mandatory considerations mentioned above, trespasses against another's dignity serve grounds for civil action of *injuria*, but are not constituted as *crimen injuria* in the absence of any further conduct. The persistent recurrence of behaviour often constitutes such crimes as *crimen injuria*. The right to privacy includes the right not to have information concerning private affairs disclosed. Behaviours such as secretly watching others, eavesdropping and cyber stalking are actions which contravene privacy and are subsequently punishable as *crimen injuria* (South African Law Reform Commission, 2003: xxxvii). Cassim (2009: 56) indicates that before the commencement of the Electronic Communications and Transactions Act 25 of 2002 the common law and statutory law applied to online forms of offences such as indecency (child pornography), fraud (cyber fraud) and *crimen injuria* (cyber-smearing).

## **2.7 CYBER STALKING AND CRIMINOLOGICAL THEORISING**

Theories function as possible explanations for a particular phenomenon, which in this study is the phenomenon of crime. Theories must adhere to scientific testing in order to bring truth and comprehension. Criminological theories attempt to explain why some people commit crime and the reason for certain crime patterns (Van der Westhuizen, 2011: 123). Tibbetts and Hemmens (2010: 3) denote a theory as a set of concepts bonded together by a series of statements to offer clarification on why an event or a phenomenon occurs. Theories may also shed light on why certain people are more prone to victimisation than others. Thus, it is important to understand the theories pertaining to cyber stalking as a means to contextualise the criminal activity.

In the study at hand, the researcher has identified two theories which can be applicable to the phenomenon of cyber stalking. They include the lifestyle exposure theory as well as the routines activities theory and will be discussed respectively while incorporating the application of the theories to cyber stalking. Both theories fall under the Classical School framework which assumes that offenders are rational and able to make decisions (Tibbetts & Hemmens, 2010: 103).

### **2.7.1 Lifestyle exposure theory**

The lifestyle exposure theory suggests that the likelihood of victimisation is dependent on lifestyle. This proposes that any change in the habitual activities of an individual or group, be it potential victims or wrongdoers, is enough to increase or decrease exposure to risk as well as present opportunities for victimisation (Davis, 2005: 36). The theory's foundation rests on the notion that individuals exercise their different lifestyles by means of adhering to their personal daily routine activities. It implies that lifestyle and victimisation rates are related to individuals' demographic traits such as age, gender and race. It also stipulates that younger and single individuals are more prone to victimisation as they spend more time away from home. Siegel (2004: 92) adds that the involvement of an individual with an ongoing criminal career opens doors for victimisation. Reyns (2010: 37) sums up the lifestyle exposure theory by highlighting that the degree of exposure to dangerous situations and opportunities are dependent on the activities that comprise an individual's lifestyle.

The theory plays a significant role in light of cyber stalking. The theory's foundation rests on lifestyle, so too does cyber stalking. One cannot be a victim or perpetrator of cyber stalking if there is an absence of an online lifestyle. Only when an individual makes use of cyber technologies and takes part in cyber activities is he or she at risk to victimisation or perpetration of cyber stalking. The lifestyle of engaging in the online realm requires some routine in daily activities as it could be needed for work purposes or be a part of one's social habits. Research indicates that younger individuals are more prone to cyber victimisation as they are more familiar with cyber space (Basson et al

2011). By performing an interactive role in a cyber environment, as part of a daily lifestyle routine, individuals make themselves vulnerable to dangerous situations. This is in no way placing blame on the victims but rather identifying possible vulnerability and risk.

In accordance with Davis (2005: 36) the lifestyle exposure theory permits the predictability of victimisation or potential victimisation when lifestyle is taken into account. In other words, patterns, routines and daily schedules are exploited to the benefit of the perpetrator. In this way, not only can high risk individuals of cyber stalking be identified and targeted by cyber stalkers but also by protective agents concerned by the matter at hand.

### **2.7.2 Routine activity theory**

The routine activity theory is based on the observations by Cohen and Felson pertaining crime to a product of the recurrent, routine activities and structuring of everyday life (SAGE dictionary of Criminology, 2006: 365). The theory suggests that victimisation, much like the lifestyle exposure theory, is associated to the habitual activities that individuals engage in on a daily basis. These recurrent themes that take place, open doors to possible victimisation. With reference to cyber stalking, individuals are at risk to victimisation when they are regularly exposed to cyber technologies such as computers, Internet, mobile phones, social networks and anonymous chat sites. This is because cyber stalking can only be committed with the involvement of cyber technology. When individuals engage in such activity, without the necessary precautions, they are made vulnerable to cyber stalking.

In its original conception, the theory was designed to explain the volume and distribution of violent crimes or that of theft – cases in which both the victim and offender are physically present at the scene of the crime (Siegel, 2004: 92; Tibbetts & Hemmens, 2010: 103; Davis, 2005: 39). The researcher is of the opinion that the routine activity theory should not be limited to that of contact crimes as it is also applicable to cyber

stalking. There need not be a mutual or official crime scene, a location in which a suspected criminal offence has occurred (Gilbert, 2007: 79), to be present for cyber stalking to be adapted to the theory. This is illustrated by applying cyber stalking to the following theoretical framework.

The theoretical construction suggests that the presence of three factors that combine in time and place create a high probability for crime and victimisation (Tibbetts & Hemmens, 2010: 103). Davis (2005: 40) adds that the occurrence of these components does not guarantee that a crime will be committed but rather enhance the likelihood that it may occur. Below, Davis (2005: 40) clarifies the three factors while the researcher demonstrates how it is interrelated to cyber stalking.

- **Motivated offender**

Cohen and Felson (SAGE dictionary of Criminology, 2006) do not elaborate much on what constitutes a motivated offender; however other theorists shed some light on this matter. A motivated offender is considered to be any person who has a reason to commit a crime. Be it logical or not, the offender's motive is personally judicious and should be acted on. In cyber stalking, perpetrators are motivated by many diverse reasons such as rejection, obsession, revenge or power (Mullen et al 2009: 154). These motivations compel the offender to engage in online stalking.

- **Suitable target**

Four elements determine the aptness of a target: value, physical visibility, accessibility and inertia. In terms of Cohen and Felson's theory (SAGE dictionary of Criminology, 2006), the value of a target lies in its financial and symbolic nature. The value enhances the desirability of it. Although there are cases of cyber stalking victims that have been targeted for financial reasons; the symbolic aspect of a victim is often the cause for criminality. The offender finds value in harassing their victims. Visibility relates to the risk to be observed by potential criminals. In cyber stalking, this may not always be physically visibility, but may have found shape in an online encounter such as in a chat room. Accessibility entails the ease with which an

offender can approach a target without attracting suspicion or attention. Cyber stalkers are highly intelligent when it comes to cyber technologies and can thus easily find and approach their victims in order to exploit them, often remaining unidentified due to the anonymity of cyber space. Lastly, inertia refers to the ease with which a target can be acquired. Cyber stalkers can access information about their victims effortlessly due to factors such as careless disposal of personal details as well as the absence of protective software.

- **Absence of capable guardian (protection)**

The lack of capable guardianship may increase the likelihood of crime. There are many forms of guardianship such as a police officer, security camera or an alarm system. The theory suggests that the presence of a capable guardian will prevent victimisation but at the same time may displace crime. With regard to cyber stalking, guardianship may be in terms of protective software or responsible awareness of the dangers of cyber space to prevent possible victimisation. It should, however, be noted that even these protective measures may contribute to crime displacement especially when dealing with a motivated offender.

## **2.8 CONCLUSION**

In this chapter the relevant literature was discussed. The nature of cyber stalking, previous research in the field, legislation and criminological theories were investigated. Although cyber stalking is a comprehensive topic; the study rests itself on its aims and objectives, therefore is only concerned with issues within these boundaries set out in Chapter 1. As retrieved from the literature review, it can be established that cyber stalking is a clandestine phenomenon and deserves to be thoroughly looked into. The researcher seeks to educate its reader on the phenomenon of cyber stalking and its legal protective nature. In this way, the study aims to contribute to the knowledge production of contemporary crimes such as cyber stalking and the empowerment of past, present and future victims of cyber stalking.

## CHAPTER 3

### THE CRIMINAL EVENT: THE LIVED EXPERIENCES OF CYBER STALKING VICTIMS IN SOUTH AFRICA

#### 3.1 INTRODUCTION

Babbie (2008: 308) describes the activity of transcribing to be the process of creating a written text out of the conducted interviews. It is often suggested that a tape recorder should be used when conducting interviews in order to accurately document the research participants' responses. However, this was not necessary when conducting e-mail interviews. All of the interactions between the researcher and research participants are systematically stored within the delegated e-mail service ([cyberstalkingstudy@yahoo.com](mailto:cyberstalkingstudy@yahoo.com)) as well as on an external storage device. Nonetheless, the researcher had to apply great caution when organising the received information, in a structured format for the purpose of the study.

In the current study, the researcher transcribed and organised the information received from the research participants into a systematic format. The researcher engaged in this systematic process in order to accurately represent the stories told by the research participants. The researcher believes that a chapter designated for the transcription of the lived experiences by the participants is of vital importance. The reason for this importance is founded on the unique, contemporary and atypical nature of the study. As emphasised throughout Chapter 1 and 2 (vide Chapter 1 and Chapter 2) of this study, cyber stalking is a new phenomenon which is often misunderstood. The experiences of the research participants attempts to extinguish all the ambiguity related to cyber stalking. Also, as the study boasts a qualitative approach, emphasis is put on the process of the research conducted (Fouché & Schurink, 2011: 308). It is important to note that the researcher will thoroughly interpret and analyse the empirical findings of the study in the next chapter (vide Chapter 4), thus reserves the present chapter for a transcription of extracts of the lived experiences of cyber stalking victims. The present

chapter includes extracts from the e-mail conversations held between the researcher and the 12 research participants.

The focus of this study lies in its aims and objectives. The researcher aims to explore the occurrence, nature and impact of cyber stalking among the victims thereof. It also seeks to determine the legal protective measures available to the victims of cyber stalking as well as the effectiveness of legislation within a South African context. The researcher kept these aims and objectives in mind when constructing the present chapter with regards to the inclusion of categories. The researcher arranged the received data in organised tables and represented the data in the form of direct extracts.

The chapter commences with a general discussion of the research findings. Furthermore, the findings of the study are divided into two main headings and the content within are presented accordingly.

### **3.2 DISCUSSION OF THE UNIQUE DATA COLLECTION PROCESS: E-MAIL INTERVIEWING**

As the researcher's mother tongue and academic interest is English, the e-mail interviews were constructed and answered in English. None of the research participants had any objections to reading or typing in English. The researcher did not make use of any specialised computer software when organising and transcribing the data collected due to the small amount of responses received. This small quantity is in line with the characteristics of qualitative research (Fouché & Schurink, 2011: 308). Nevertheless, the researcher acknowledges that the process of organising and transcribing the data received was quite lengthy; however through the process, the researcher was able to draw increased insight and understanding of the participants' experiences.

Babbie (2008: 307) points out that field research interviewing is very similar to normal conversations. In normal conversations, each participant wants to appear interesting in terms of their contributions to the information exchange. In such an exchange, the

participants often fail to “hear” each other. An interviewer who places importance on appearing interesting is counterproductive because the focus of any interview should be placed on the interviewee. Furthermore, Babbie (2008: 308) urges the interviewer to act as someone who does not understand the situation and is fascinated by the most basic and obvious aspects of the retrieved information. The researcher found this information very helpful when conducting the e-mail interviews. The researcher put emphasis on the value of the research participants’ contributions and assumed a neutral role when engaging with the participants. The researcher accomplished this by focusing all the attention and importance on the research participants’ responses. The researcher took on the role as a “socially acceptable incompetent” (Babbie: 2008: 308) by continuously requesting clarity on certain aspects of the answered e-mail interview as if the researcher did not have any prior knowledge of the content in question. However, the researcher must acknowledge that through the online conversations about cyber stalking with the research participants, the researcher not only gained new knowledge about the cyber stalking phenomenon, but also received deeper understanding thereof. The new knowledge discovered functioned as an addition to the existing literature as well as confirmation of (some) findings as opposed to new ones. This assertion is discussed in greater detail in Chapter 4 (vide Chapter 4.4).

The researcher encountered a few minor problems when engaging in the e-mail interviewing process. These problems were identified and discussed in Chapter 1 (vide section 1.10.2, 1.11, 1.12). The researcher noticed that a few research participants changed the format of the e-mail interview in their responses. The researcher attributed this to the uncertain compatibility of the e-mail interview with various computers. The researcher did not regard this as a concerning factor because all the research participants who changed the format of the e-mail interview were still able to answer all the questions asked satisfactorily.

The researcher discovered the practical aspect of rapport throughout the e-mail interviews with the research participants. As indicated by Davies et al (2011: 352), rapport is the mutual feeling of trust and openness between the interviewer and interviewee. It is suggested that the greater the level of empathy between the

interviewer and interviewee, the greater levels of insight and understanding will be achieved. The researcher found this to be true as majority of the research participants desired to receive sympathy and compassion from the researcher. In one particular case, the researcher engaged in a lengthy online conversation with the research participant before the e-mail interview was answered. It was during this ongoing conversation that the researcher gained trust from the participant.

The information received from the research participants was detailed and descriptive. The researcher decided to represent the data received in the form of tables, in order to contribute to a neat and organised presentation of data. The researcher quoted the research participants verbatim, as a means of avoiding over or under sensualisation of the information received. In this way, the research participants' responses are represented exactly how they portrayed it to be. Additionally, the researcher placed importance on affording the research participants a descriptive and rich voice in the retelling of their experiences thus supporting the use of direct quotations. However, the researcher modified the structure and format of the responses given in order to present the data in a consistent scientific manner. The researcher identified categories of the responses received and presented the data within these categories identified.

### **3.3 CLASSIFICATION OF CATEGORIES**

The following table (Table 3.1) is a summary of the main categories and sub-categories that were identified by the researcher as recurrent themes expressed throughout the e-mail interviews.

**Table 3.1: Summary of main categories and sub-categories**

<b>Main categories</b>	<b>Sub-categories</b>
3.3.1 Demographic information of research participants	3.3.1.1 Demographic summary
3.3.2 General use of communication through technology	3.3.2.1 Technological devices 3.3.2.2 Prevalence of Internet usage 3.3.2.3 Functions of the Internet
3.3.3 Personal experience of cyber stalking	3.3.3.1 Electronic environment of cyber stalking 3.3.3.2 Relationship to cyber stalker 3.3.3.3 Reasons for cyber stalking 3.3.3.4. Nature of cyber stalking incident 3.3.3.5 Fear of cyber stalking behaviour 3.3.3.6 Actual occurrence of feared behaviour 3.3.3.7 Methods employed to stop cyber stalking 3.3.3.8 Possible additional methods employed to stop cyber stalking 3.3.3.9 Victim support and assistance
3.3.4 Effects of cyber stalking	3.3.4.1 Psychological effects 3.3.4.2 Sociological effects 3.3.4.3 Physical effects 3.3.4.4 Reduction in electronic communication
3.3.5 Intervention and Prevention	3.3.5.1 Knowledge of available legislation 3.3.5.2 Report and reaction of cyber stalking 3.3.5.3 Effectiveness of the South African law 3.3.5.4 Possible available protection 3.3.5.5 Prevention strategies

The above themes identified will be methodically discussed, in the subsequent section, by means of the information retrieved from the 12 research participants.

### 3.3.1 Demographic information of research participants

The researcher acknowledged the importance of retrieving demographic information from the research participants. The reason for this is to better understand the phenomenon of cyber stalking in its entirety. The researcher uses this information practically in its theoretical understanding of cyber stalking in Chapter 4 (vide section 4.2.1). In simpler terms, this section functions as an effort to determine the possible link between demographic characteristics of the research participants (age, gender, race and occupation at the time of the victimisation) to their individual victimisation process. It should be noted that all the research participants were requested to give their demographic details based on the time of the cyber stalking incident. One of the participants did not understand the need for identifying her race but confirmed it later after the researcher clarified the reasons for this. The researcher compiled a table (Table 3.2) to summarise the demographic findings of the study.

**Table 3.2: Demographic summary**

Research participants	Demographic summary			
	Age	Gender	Race	Occupation
<b>A</b>	22	Female	White	Unemployed
<b>B</b>	24	Female	Coloured	Receptionist
<b>C</b>	24	Female	Indian	Personal assistant
<b>D</b>	21	Female	Black	Student
<b>E</b>	22	Female	Black	Student

<b>F</b>	19	Female	Black	Student/intern
<b>G</b>	34	Male	White	Entrepreneur
<b>H</b>	21	Male	Black	Student
<b>I</b>	22	Female	Indian	Student
<b>J</b>	19	Female	Indian	Student
<b>K</b>	21	Male	Coloured	Student
<b>L</b>	22	Female	Coloured	Student

**3.3.2 General use of communication through technology**

The subsequent section comprises the general use of communication through technology as practised by the research participants.

**3.3.2.1 Technological devices**

The research participants were asked the following question. Which technological devices do you access the Internet from? In other words, the research participants were asked to provide details on the technological systems used when accessing the Internet.

**Table 3.3: Technological devices used to access the Internet**

<b>Research participants</b>	<b>Technological devices used to access the Internet</b>
<b>A</b>	"Laptop and cell phone"
<b>B</b>	"Computer, laptop and cell phone"
<b>C</b>	"Most of the time I use my cell phone"
<b>D</b>	"I use computers, laptops and smart phones (a Blackberry). But mostly I use my Blackberry because the Internet service is free"
<b>E</b>	"Personal computer and mobile"
<b>F</b>	"Home computer (desktop), smart phone (Blackberry)"
<b>G</b>	"Laptop, computer, mobile phone and smart phone"
<b>H</b>	"Mobile phone and computer"
<b>I</b>	"Computer and smart phone"
<b>J</b>	"Computer, laptop, smart phone, tablet"
<b>K</b>	"Computer and smart phone"
<b>L</b>	"Computer, laptop and mobile phone"

### **3.3.2.2 Prevalence of Internet usage**

The research participants were posed the following question, "How often do you use the Internet?" The research participants answered in the following ways.

**Table 3.4: Prevalence of Internet usage**

<b>Research participants</b>	<b>Prevalence of Internet usage</b>
<b>A</b>	“Everyday”
<b>B</b>	“Everyday”
<b>C</b>	“Almost every day”
<b>D</b>	“I use the Internet daily. The first thing I do when I wake up is check the social networks (Twitter and Facebook) for anything major that happened in South Africa and the world that people might be holding discussions about”
<b>E</b>	“Whole day everyday”
<b>F</b>	“Daily”
<b>G</b>	“Everyday”
<b>H</b>	“I use the internet on a daily bases”
<b>I</b>	“Before my incident it was throughout the day, now it’s mostly to reply to messages which can be once a day and for research”
<b>J</b>	“A few times a day”
<b>K</b>	“Daily”
<b>L</b>	“Daily”

### 3.3.2.3 Functions of the Internet

The researcher assumed it to be relevant, when dealing with the phenomenon of cyber stalking, to ask the research participants to indicate what they used the Internet for.

**Table 3.5: Functions of the Internet**

<b>Research participants</b>	<b>Functions of the Internet</b>
<b>A</b>	"Browsing and e-mail"
<b>B</b>	"Work, facebook and to search things"
<b>C</b>	"Google, downloading music, searching the Internet (miscellaneous), emails. Use Internet connection for social networking as well"
<b>D</b>	"I use the Internet mainly to go on social networks...and to have discussions about these with people if I feel like sharing my opinions...The second major thing I use the Internet for is emails. Other than that I use the Internet as a student, to login to our Universities website and get notes and other academic material. I also use the Internet to look for jobs..."
<b>E</b>	"Work, socialising and entertainment"
<b>F</b>	"Browsing mostly, online shopping, Internet banking, social networking"
<b>G</b>	"Business and personal"

<b>H</b>	“I use it to access online magazines that I follow, I use it to access the social networks that I’m a part of and to be to keep up with my school assignments. The fact that I am a aspiring musical artist whose enjoyed a certain amount of television exposure means that I have to keep close ties with my support base which I do over the internet on various social media platforms”
<b>I</b>	“Social networking and research”
<b>J</b>	“Work related research, email correspondence, social network, online banking, online shopping, and online gaming”
<b>K</b>	“News, downloads and networking”
<b>L</b>	“Research and networking”

### **3.3.3 Personal experience of cyber stalking**

The researcher used this section of the e-mail interview to obtain a descriptive analysis of the research participants’ personal experiences of cyber stalking, in their own narratives.

#### **3.3.3.1 Electronic environment of cyber stalking**

The researcher enquired about the electronic environments in which the research participants experienced cyber stalking in. To add clarity to the question the researcher provided the following possible examples: sms, e-mail, phone calls, facebook, twitter or myspace, mxit.

**Table 3.6: Electronic environment of cyber stalking**

<b>Research participants</b>	<b>Electronic environment of cyber stalking</b>
<b>A</b>	"Sms, email"
<b>B</b>	"Via facebook and emails and sms's"
<b>C</b>	"On facebook"
<b>D</b>	"I have only experienced harassment through social networks"
<b>E</b>	"Facebook, sms, phone calls"
<b>F</b>	"Predominantly SMS. Occasional emails, occasional heavy breathing type missed calls from a withheld number. He hacked into my hotmail and gmail accounts as well as Facebook page"
<b>G</b>	"Facebook, Twitter, Whatsapp, BBM, Mxit, myspace"
<b>H</b>	"Sms , phone calls and facebook"
<b>I</b>	"Facebook and phone calls"
<b>J</b>	"facebook, phone calls, sms"
<b>K</b>	"Faceboook and Mxit"
<b>L</b>	"Facebook"

### 3.3.3.2 Relationship to cyber stalker

The researcher asked the research participants to indicate whether or not they knew the cyber stalker, in question, and to provide details for the answers provided.

**Table 3.7: Victim's relationship to cyber stalker**

Research participants	Victim's relationship to cyber stalker
<b>A</b>	"Yes, I've know the individual for four years we were very good friends...He has expressed personal interest in me which I have on numerous times declined and made sure I was in no way leading him on"
<b>B</b>	"No, people I don't know stalk me, sends me messages and pictures of them"
<b>C</b>	"No idea of the identity of the cyber stalker..."
<b>D</b>	"With my first incident of cyber stalking I did not know the person at all. With the second incident it turned out that the person was a girlfriend of a guy I had previously been romantically linked with"
<b>E</b>	"Yes I did, he was my landlord"
<b>F</b>	"Yes. We were friends in 1st year of university"
<b>G</b>	"I know him because of the slanderous comments he has made on our mutual friends walls..."
<b>H</b>	"In all three accounts I had no knowlegde of the cyber stalker"
<b>I</b>	"The stalker was a complete stranger who befriended me"

	on the facebook...from being strangers I would say we became friends”
<b>J</b>	“One was a girl I attended school with the other was a boy that had been a friend of mine”
<b>K</b>	“I did not personally know my stalker, they requested to be my friend”
<b>L</b>	“No I did not know who both of them were...however they would send messages even though I NEVER RESPONDED”

### 3.3.3.3 Reasons for cyber stalking

The researcher requested the research participants to provide possible reasons for the cyber stalking behaviour as perceived by the victims.

**Table 3.8: Possible reasons for cyber stalking as perceived by the victims**

<b>Research participants</b>	<b>Possible reasons for cyber stalking as perceived by the victims</b>
<b>A</b>	“Jealousy and spitefulness...He is very obsessive and possessive and would Google my name on the internet. He was probably crushed when I got married and started harassing me during my honeymoon and my husband the day we got back from honeymoon...”
<b>B</b>	“I wish I had the answer to this question so that I can do something about it myself”
<b>C</b>	“Jealousy of an ex boyfriend...It is hard to pinpoint the reason for harassment, however people in my community use social networks to hurt people or expose them in

	order to get satisfaction if face to face encounter was not managed...”
<b>D</b>	“1 <sup>st</sup> incident: The guy was making romantic advances towards me which later turned sexual and I turned him down because I had no idea who he was and had absolutely no interest in knowing him. He had seen my facebook profile picture and said he found me attractive. 2 <sup>nd</sup> incident: the girl had feelings of animosity towards me because she felt that the romantic link I had with a guy who was now her boyfriend was ongoing”
<b>E</b>	“...racism and being in an interracial relationship made the stalking worse”
<b>F</b>	“Mental illness...He’s been treated for OCD (Obsessive Compulsive Disorder) and depression...”
<b>G</b>	“Jealousy. Lousy marketing by him...”
<b>H</b>	“...people who wanted to get my attention or establish a platform to start communication between me and them because of my involvement in the music industry”
<b>I</b>	“The mere fact that I ignored his passes toward me as I did not want anything more than friendship”
<b>J</b>	“Jealousy or teen pressure was what I would assume for the first attack. A bruised ego, he was unable to handle rejection”
<b>K</b>	“I am not sure what their intensions were”
<b>L</b>	“I don’t know, but the person probably knew me, as it was just a gut feeling I had...”

#### 3.3.3.4 Nature of cyber stalking incident

The researcher asked the research participants to describe the nature of the cyber stalking incident. In some cases the research participant (research participant: A, B, D and H) did not clearly answer this question. The researcher sent an e-mail prompting the adherence to this request. All the research participants identified adhered to the request, except for research participant H. Research participant H did not respond to the researcher's request.

**Table 3.9: Nature of cyber stalking incident**

Research participants	Nature of cyber stalking incident
<b>A</b>	"Threatening and fabricated messages towards myself and my spouse.... Continuous emails and sms after we have confronted the individual after the first message"
<b>B</b>	"It started with facebook, where the guy would inbox me sending me messages... I had my cell number on facebook...so he would sms me or try calling me...he started sending me funny messages and ... funny pictures... He would even leave me voice messages making funny sounds"
<b>C</b>	"...another person has the exact same picture of my boyfriend and I as their profile picture on facebook, I then proceeded to search this person, whose profile was open and seen for myself that this person has copied every picture of my boyfriend and I and claimed it as his own pictures of him and his girlfriend"
<b>D</b>	"In the first incident of harassment, i got a facebook inbox from a young man I did not know and who I had not befriended on facebook. At

first he was not very abrasive. He just started off by telling me that he thinks my facebook profile picture was beautiful and that he would like to get to know me. I thanked him for the compliment and told him I did not feel comfortable talking to a person I had never met before in my life. I think this offended him because after that he regularly sent me offensive messages suggesting lewd and sexual advances towards me. I then decided to ignore him. After about two months I grew tired of getting rude inboxes from him so I blocked him.

In the second incident, a girl who I was not very familiar with contacted me and started asking me interrogative questions about a guy I had once been romantically linked with. I then told her she had no right to ask me personal questions because she does not even know me. After a while i realised she was the current girlfriend of the gentleman in question. Each time I was in contact with the guy...she would send me threatening messages via facebook inbox. She said if I kept contact with the guy she would find me and beat me up... In both cases the harassment was verbal. I feel the first incident was more serious because it was sexually abusive and threatened my integrity as a woman - and so it worried me more than the second. In the second incident I was not very worried because although the girl threatened to physically harm me, she never went beyond just verbal

	intimidation”
<b>E</b>	<p>“In the beginning of 2011 I moved to beautiful Cape Town .... I first moved in with a friend and started looking for places. The friend I moved in with told me of the office that he worked in and that the owner of the space lived upstairs of the office and had an extra room. Desperately, I met up with this guy and we started talking rents, deposits and general house rules. He was also living with his wife. Which I thought was better because who moves in with a bachelor? I filled in the agreement and then he asked if it was okay if he took a picture of me. I said okay and stood on the wall for the picture. I also let him know that since I was in a long distance marriage at that time that my husband would come from time to time. He got a little bit weird because he said they (him&amp;wife) did not want men upstairs and that it would be uncomfortable. He then said it was okay.</p> <p>The next day I moved in, during my first night I got a call from a weird person telling me he can see me... I asked my landlord about the security and he assured me it was okay. I kept receiving with held phone calls so I activated a with held ball block. When I was sleeping I would wake up to the sound of my bedroom door closing and when I looked nobody was there. I asked landlord if he had extra key and he said he lost his key to that door a long time ago. I started getting smses and that is when I went to the police with my suspicions. They tried calling the number and of course it was off and told me it was probably an old flame. My husband came down to see me. My landlord asked for his name and surname (for security</p>

	<p>reasons) and I gave them to him. The next day my husband got a Facebook invitation from a girl called Amanda Mada. Who claimed she loved him and wanted to have sex with him. What caught my eye about this whole profile was it was a new Facebook profile and that the picture of the girl was taken in the room where I was staying. It then clicked as I remembered somebody asking to take a picture of me. Without revealing much I asked my landlord if he knows this girl (showed him pic I got on net), he said no and I asked him for how long he was living in that house...he said 13 years and I asked him if this picture looked thirteen years old he said no (with a straight face) and I zoomed it in and showed him that it was taken in my room and he started shouting and saying I am accusing him of things...My husband told him we are moving out and we did the very next day...never heard from him ever again”</p>
<p><b>F</b></p>	<p>“I met Freaky Joe in my 1st year at medical school. We were class friends in that we'd sit together in class but never socialised outside of campus. By the end of our first year his behaviour became increasingly weirder and I ended the friendship because it was making me too uncomfortable. There was never anything romantic in our relationship, although I'm not sure what his warped little mind has managed to cook up. In our second year at university, he dropped out somewhere in the first semester, but continued to live near med school and we still had some common friends. Somewhere then he started sending me numerous SMS's, sometimes just one or two a day, other days up to twenty a day. The tone of</p>

	<p>these messages varied from being outright threatening (these were the minority) to wheedling, begging me for a second chance, to be friends again, to talk again, to be my boyfriend etc. These messages have persisted more or less on and off for the past 7 years. He goes quiet for a while and then I will receive barrages of messages again and then quiet again.</p> <p>Last year (this is now 6 years after I'd last had anything to do with him) he hacked into my facebook account and sent some awful messages to my friends. The really good ones of course phoned me up immediately to hear what the hell was going on so there was no real damage done. He also hacked into my hotmail and gmail accounts. This was a nightmare, trying to retrieve my facebook page when they couldn't send my security details to my email, which I didn't have access to either. And I found it impossible to find anyway back into my email accounts, I hadn't linked them with my phone number or other email accounts. The only way I got any control of the situation was when Freaky Joe felt bad and sent me the password to the accounts he had stolen. If he hadn't, I really don't think I would've gotten them back. This whole little debacle made me realise how fragile our online identities really are"</p>
<b>G</b>	"He has spread malicious stories and falsehoods about me and my business in order to win more people"
<b>H</b>	Research participant did not answer.
<b>I</b>	"Well, the stalker and I got acquainted through facebook. We started speaking and getting to know each other

better. He was always commenting and liking each and every post and photo on my facebook. He seemed like a nice enough guy (judging from his pictures and the way in which he texted me), he seemed very intelligent and gentlemen-like, but I was not interested in a relationship with him as I barely knew him. After a week or so we exchanged numbers, he would call me every day at first and then he started calling more than usual almost 5 times in one day. He made several passes at me while we were speaking, he would say stuff like "I really think we would be perfect as a couple", and "no other guy is worthy of having you but me". And right then when he said those words I realised... WOAH!!! Time to cut ties with this guy. So I told him that I was already seeing someone and that I just wanted to be his friend...

Once I said this to him his behaviour toward me changed. He seemed more hostile and irritated with me, and, well really weird. He started calling on my cell phone but would not say anything and hang up. Then he started calling and telling me that I led him on, I made him believe that I was interested in him. He started calling me hurtful names such as "bitch", "whore", "slut", "tease", etc. I found this very upsetting and demeaning, not only was he phoning and telling me all this but he was posting nasty things on my facebook wall. To my recollection, I am certain that I made it clear from the start that I was not interested in a relationship, not so soon anyway. So I deleted him and blocked him from ever reaching me again on facebook as well as on my cell phone.

	<p>I am just thankful that this psycho man never knew where I lived; I don't think I could change my residential address...</p> <p>This was a lesson to me never to accept strangers on facebook or any other social network site for that matter”</p>
<b>J</b>	<p>“The first incident was by a girl I had attended school with; she was in a lower grade than me. We were never friends and had never had any communication between each other. She claimed to have heard through the grape vine that I was interested in her boyfriend. This was a ridiculous accusation to begin with as I don't date people younger than me. It started when she called me one evening screaming and shouting into the phone about how I am a “slut” that I “messed with the wrong girl and that she and her friends would “get me”. I didn't give her a response as I taught this to be very childish. My nonchalant attitude must have fuelled her anger even more because she took this attack to facebook. She would publish status updates swearing at me calling me words like slut, bitch and whore. I decided to comment on the first status update about me asking her to leave me alone as I had to time for childish games. Her friends immediately attacked me with vulgar comments. I blocked her off my face book and decided it wasn't worth fighting for. The updates continued sporadically and eventually when she saw she was not going to get a reaction out of me again she stopped. I have not heard from her again.</p>

	<p>The second incident happened with a friend. I knew him through mutual friends as we would all hang out together occasionally. He had my number and started calling me from time to time. He lived out of town so I didn't see him much. We went out for coffee where he asked me to be in an exclusive relationship with him. I politely turned him down explaining that I was not interested in a relationship at that time. It didn't stop there. He would call me continuously and started asking questions like where I was, who was I with and what was I doing. I ignored calls from him but he just used other numbers or friends phones. I started seeing him more often in my home town hanging around the coffee shops where my friends and I would meet. It got to me when I received a phone call from a friend in Durban saying that this person was there on holiday recently and was asking about me what I do when I'm there and who my friends were. I started receiving calls on my house phone from him at 1a.m. I was angry as he was invading my privacy I called him shouted and sternly asked him to stay out of my life as it was none of his concern! He didn't stop. I would have voice mails from him crying and asking me for a chance. I had to eventually change my cell phone and house phone number. I still receive messages from him"</p>
<p><b>K</b></p>	<p>"I never knew who the stalker was, but she insisted I knew her. She would then say that I arouse her and that she wants me. She also got extremely upset when I ignored her. She always spoke about taking her life. At first I thought it was my friends playing a prank on me, because I never met this person, but I realised they wouldn't take it that much out of control, like she did"</p>

<b>L</b>	“Both persons masturbated to my photos on facebook, telling me how they are aroused and that they are physically done it while the message was sent by them”
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### 3.3.3.5 Fear of cyber stalking behaviour

The research participants were asked whether or not they feared any of the harassing behaviour during the duration of the cyber stalking. They were also asked to provide details for the answer indicated.

**Table 3.10: Victim’s fear of cyber stalking behaviour**

<b>Research participants</b>	<b>Victim’s fear of cyber stalking behaviour</b>
<b>A</b>	“The individual displayed an obsessive behaviour, I was most concern how he obtained my spouse and my personal information via the internet. He has in the past displayed some suicidal tendencies; I was concern for his well being as well as my own”
<b>B</b>	“That they would look me up, send me funny pictures and messages”
<b>C</b>	“Did not fear any harassment, rather was infuriated that the cyber stalker was using my personal pictures as his own. Felt an infringement of privacy and a loss of control in the sense that I could not do anything to stop the cyber stalker”
<b>D</b>	“1 <sup>st</sup> incident: I feared none of it because I have protected my personal information on facebook from people who I have not added as friends. He therefore didn’t know my phone number and where I lived or the places I

	<p>frequented. So I didn't think he posed any real threat. I was just annoyed and disgusted by his sexual advances.</p> <p>2<sup>nd</sup> incident: I feared the impact her animosity would have on my reputation if it should move from inbox messages to status updates about me. I was scared she would say ugly things about me on the social network and misinform people. But I was not concerned about my physical safety because even though she threatened to come beat me up as well – shes actually much smaller than me...”</p>
<b>E</b>	“I feared for my safety...”
<b>F</b>	“I'm not afraid of him. I don't believe he is functional enough to inflict any serious bodily harm on me. But it is because of his actions that I no longer have any social networking accounts so...”
<b>G</b>	“That more and more people would believe his lies and intimidation...”
<b>H</b>	“Well it never got the point of me fearing for my life or anything like that cause all of my stalkers except for one have been women...”
<b>I</b>	“Mostly that he would ruin my reputation”
<b>J</b>	“The vulgar attacked the girl had made on my character also having someone pry into my personal life”
<b>K</b>	“Her saying she wanted to take her life”
<b>L</b>	“That the persons could be watching me or following me in places I did not know”

### 3.3.3.6 Actual occurrence of feared behaviour

The researcher asked the research participants whether the feared behaviour actually occurred. The research participants answered as followed.

**Table 3.11: Actual occurrence of feared behaviour**

<b>Research participants</b>	<b>Actual occurrence of feared behaviour</b>
<b>A</b>	“Not only did he harass me, he has made attempts to harass my husband, emailing his work and when both his and I fail to reply he would send text messages...”
<b>B</b>	“Naked pictures and funny messages”
<b>C</b>	“The cyber stalker was retaliating and becoming hostile. I also feared that this cyber stalker could keep this facade up and continue using my pictures to supplement his fake reality”
<b>D</b>	“None of it”
<b>E</b>	“He came into my room too many times when I was not home and that is creepy...”
<b>F</b>	“See above”
<b>G</b>	“5 photographers that had done photoshoots for me BLOCKED me.15 – 20 girls that did 777 photo-shoots BLOCKED ME .150 – 450 people blocked me”
<b>H</b>	“One of the ladies who used to stalk me went as far contacting my sibling which for me was crossing the boundry and abit scary”
<b>I</b>	“Nothing I feared occurred because I would delete the demeaning stuff he would post on my wall”

<b>J</b>	"I had feared that people might believe her rants on face book..."
<b>K</b>	"None"
<b>L</b>	"Nothing, but I was scared to an extent, as I don't know if the persons would retaliate if I threaten them"

### 3.3.3.7 Methods employed to stop cyber stalking

The researcher inquired about the possible methods used by the victims to stop the cyber stalking behaviour.

**Table 3.12: Methods employed by the victim to stop cyber stalking**

<b>Research participants</b>	<b>Methods employed by the victim to stop cyber stalking</b>
<b>A</b>	"At first I blocked him from my email (all messages from him would be sent directly to the trash)... switched my cell phone off for a few days...I confronted him over Gtalk and explain to him what he is doing is wrong and he should leave me alone. After the confrontation he never contacted me again"
<b>B</b>	"I changed my number"
<b>C</b>	"I retaliated by messaging the cyber stalker on his facebook profile..."
<b>D</b>	"1st incident: I asked him to stop and when I realised he wouldn't, I started ignoring him. Then I blocked him and he couldn't send me inboxes anymore. 2 <sup>nd</sup>

	<p>incident: I never replied to any of her inbox messages. But I didn't block her because I wanted to see her profile every now and then to see if she was saying malicious things about me sometimes. Eventually I just stopped interacting with the guy in question (her boyfriend) because I realised his role in my life was not worth the trouble he caused me. So she eventually left me alone"</p>
<b>E</b>	"Blocking unknown caller ids. Going to police"
<b>F</b>	"I deleted all of my social networking accounts and haven't opened any new ones. Apart from that I have been completely passive. I have no idea how to go about finding someone I know nothing about so, really I feel there isn't much I can do apart from ignore him..."
<b>G</b>	"Told my dad about it...but that didn't help as he was born before the digital age...My next plan was to detail screenshots of the harassment on my blog as I had been blocked by him when I first tried to message him"
<b>H</b>	"I used a blocking method on my social networks and on my cell phone to keep the people I don't want contacting me from having access to me"
<b>I</b>	"I deleted and blocked him from my cyber network and reported his name to facebook as displaying offensive behaviour before it got worse"
<b>J</b>	"I had blocked her off my face book and other social networks and also had changed both my home and cell number"
<b>K</b>	"As I was not sure if she was really going to kill herself,

	I would keep on speaking to her, until she eventually lost interest”
<b>L</b>	“I informed family members, and they showed me how to block the person, and also typed messages on my behalf threatening them”

### 3.3.3.8 Possible additional methods employed to stop cyber stalking

The researcher asked the research participants if they could identify any possible additional methods they could have employed to prevent the cyber stalking.

**Table 3.13: Possible additional methods employed**

<b>Research participants</b>	<b>Possible additional methods employed</b>
<b>A</b>	“I should have confronted him sooner...”
<b>B</b>	“One can’t really say... if they want to stalk you they find ways to get to you”
<b>C</b>	“No methods”
<b>D</b>	“Initially I had not protected my facebook profile. The privacy settings on it were pretty relaxed.... Now only people I have befriended can see my wall, my photos and my personal information. And I have also blocked my searchability. So my name does not pop up in the results when a random person searches me on the site”
<b>E</b>	“I was too trusting and naive. I shared some personal information that now when I think of it...helped him”
<b>F</b>	“I’m not sure if there are any legal resources available to

	me or how I would go about employing them”
<b>G</b>	‘Well I don’t believe in violence – so that wasn’t an option. Sue him : that’s too time-consuming and it’s easier for people to read my blog quickly and form their own opinions of what has transpired”
<b>H</b>	“I could have got legal action against the stalkers...”
<b>I</b>	“I could have deleted him... Also I should have first reported him to the authorities. The guy was obviously not well and I could have been the one to prevent him from harassing another girl or worse...”
<b>J</b>	“I could have reported her but that would have required me to open a police case which I didn’t want to do. Being from a conservative Indian family I chose not to tell anyone about the boy problem as it would have enraged my family”
<b>K</b>	“I should have deleted her first time I realised she was a bit crazy”
<b>L</b>	“I was scared at that time and could not think straight really...”

### 3.3.3.9 Victim support and assistance

The researcher asked the research participants to mention who they received assistance and support from in order to help them deal with the situation.

**Table 3.14: Victim support and assistance**

<b>Research participants</b>	<b>Victim support and assistance</b>
<b>A</b>	“No one...”
<b>B</b>	“A friend that was also stalked”
<b>C</b>	“Friends helped me in this regard by also messaging the cyber stalker in order to overwhelm him with questions which he obviously did not know the answer to”
<b>D</b>	“No one... I knew I could handle this on my own”
<b>E</b>	“My husband as everybody around me thought I was just being paranoid...”
<b>F</b>	“Support from my partner and friends yes. Support from Facebook or email servers, no”
<b>G</b>	“Only those that have read my blog support me...”
<b>H</b>	“I talked to my close friends about what I was experiencing and they advised me to get these people blocked”
<b>I</b>	“My best friend”
<b>J</b>	“My friends they were my life line”
<b>K</b>	“I ask my close friends for assistance, but not as to help

	me, but more to get rid of her”
<b>L</b>	“My family and friends”

### 3.3.4 Effects of cyber stalking

The researcher endeavoured on a quest to find out the possible effects cyber stalking has on the victims. The researcher divided this category into three themes; psychological, sociological and physical effects. Additionally, the researcher asked whether or not the cyber stalking affected the victim’s relationships and if the cyber stalking behaviour caused the victim to reduce their use of electronic communication.

#### 3.3.4.1 Psychological effects

The researcher asked the research participants whether or not they have experienced any psychological effects from the harassment. In order to broaden their scope of understanding the researcher listed the following examples as indicators of psychological effects: stress, depression, anxiety, guilt, helplessness or fear. All of the research participants were asked to share details of the answers provided.

**Table 3.15: Psychological effects**

<b>Research participants</b>	<b>Psychological effects</b>
<b>A</b>	“Yes, it caused my husband to question our marriage...It made me very angry, irritated and full of hate. I’m also paranoid about checking my emails. Stress-affected spouse work performance, Anger, helplessness-I was unaware of what legal help was available and felt helpless not knowing stop the continuous harassment”
<b>B</b>	“Yes i did experience stress and fear from this harassment. He would tell me he wants to come visit me

	and do all kinds of stuff to me that really freaked me out. i was afraid that he would find me...”
<b>C</b>	“Temporary emotional effects- during the time of the cyber stalking I not only felt alone in the situation but I also did not know how to stop the cyber stalker. Helpless, hurt, betrayed and violated are the main emotios evoked by this experience”
<b>D</b>	“I was stressed...After that I felt vulnerable”
<b>E</b>	“Definitely, fear and depression. If someone violates your privacy in anyway you feel naked for a while...there was even a time when I wanted revenge on him...”
<b>F</b>	“No”
<b>G</b>	“Stress: plenty I was offering a good service which he belittled. Depression: loads. Anxiety: loads. Guilt: no. Fear: yes”
<b>H</b>	Research participant did not answer.
<b>I</b>	“Yes I have. I am more anxious more paranoid. Sometimes i feel as though it was my fault, I should not get too comfortable with the stranger”
<b>J</b>	“I was afraid that the face books post would stain by reputation and what people would begin to think of me. I also became afraid of entering into a relationship”
<b>K</b>	“No”
<b>L</b>	“Fear, because I was scared that both people could trace me in someway after they were threatened, they would look for me”

### 3.3.4.2 Sociological effects

The research participants were asked to indicate any sociological effects induced by the cyber stalking behaviour. The researcher provided the following possible indicators of sociological effects: relationship, financial, work-related or change of contact details. Furthermore, the research participants were requested to provide details of their answers.

**Table 3.16: Sociological effects**

<b>Research participants</b>	<b>Sociological effects</b>
<b>A</b>	“Yes on behalf of husband. He is under a lot of pressure at work and when he gets an email from this individual he can’t concentrate, he gets aggravated and irritated and work performance decreases. Our contact deatils have been changed after the incident”
<b>B</b>	“Yes, people can’t just send me anything anymore because I get upset. My friends can’t make silly jokes with me because then it reminds me of the stalking...i had to change my contact details and also take off all my details on facebook and all the other social networks i used that had my details on them”
<b>C</b>	“In a sense I have been apprehensive about posting pictures and details about my relationship”
<b>D</b>	“Like I said I decided to cut someone out of my life because he was the reason I was getting harassed in the first place...”
<b>E</b>	“I have had to re-locate as I just could not live in that city. I would see him walking around and I just could not deal

	with it so I moved which meant losing a lot of money..."
<b>F</b>	"Well considering I now no longer have any facebook page, twitter account or any other form of social networking...Sadly in this modern day and age, so much of life happens in online communities, not only do I not hear about things by not being part of them, in many ways, it's as if I don't exist"
<b>G</b>	"WORK: my group photo-shoots had to stop because of him. Other photographers blocked / deleted me because they listened to his lies"
<b>H</b>	Research participant did not answer.
<b>I</b>	"I did not change my contact details I merely blocked the stalker from contacting me. I have changed in the sense that I will not accept just anyone on facebook... In fact, I think I've limited the time I spend on facebook, I avoid private calls which could be important all in aid of my paranoia"
<b>J</b>	"I stayed at home for a while after her posts.. I also had my cell number and home phone number changed"
<b>K</b>	"No"
<b>L</b>	"No I haven't, as I didn't allow it take charge of life"

### 3.3.4.3 Physical effects

The researcher asked the research participants to mention any physical effects accompanied with the cyber stalking behaviour. The researcher suggested the following examples of physical effects: sleep disturbances, weight issues, poor concentration, headaches and nausea.

**Table 3.17: Physical effects**

Research participants	Physical effects
<b>A</b>	“Sleep disturbances-constant worry if we are going to receive another upsetting email or sms”
<b>B</b>	“Poor concentration i would say was one of the effects and challenges...coz when i would get a msg from this guy then everything changes around me and fear immediatly kicks in”
<b>C</b>	Research participants did not answer.
<b>D</b>	“Not at all”
<b>E</b>	“Knowing that the culprit is not far away would not make any victim sleep easy. While in that area it was difficult even to go out for a walk without looking over my shoulder...”
<b>F</b>	“No”
<b>G</b>	“Couldn’t sleep. Poor concentration”
<b>H</b>	Research participant did not answer.
<b>I</b>	“No. The stalker never knew where I lived all he had was my contact details and I don’t think he was skilful enough to acquire this information”
<b>J</b>	“Initially I would cry a lot and not sleep thinking how my reputation had been ruined. I worked through all those emotions”
<b>K</b>	“No”
<b>L</b>	“At that time only felt scared I was being watched. Like I

	mentioned I had a feeling that those persons knew me, but I could never prove it”
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**3.3.4.4 Reduction in electronic communication**

The research participants were asked if the cyber stalking behaviour caused a reduction in their electronic communication. Their answers are portrayed below.

**Table 3.18: Reduction in electronic communication**

<b>Research participants</b>	<b>Reduction in electric communication</b>
<b>A</b>	“Yes, I’m too afraid to check my emails because I’m scared I see an email from this individual. I’m too exhausted and irritated to deal with it”
<b>B</b>	“Yes I don’t log into anything without security anymore”
<b>C</b>	“Yes, I prefer not to be as active on social networks and rather use ‘BBM’ blackberry messenger where you are in control of who you chat to and who sees your information and pictures”
<b>D</b>	“Yes definitely. I no longer post pictures of myself on social networks... I’m more vigilant about what I post. I avoid posting things that are specific in informing people of my whereabouts...I realized how dangerous this could be in leading your cyber stalkers into becoming people that actually PHYSICALLY stalk you as well. In short I’m not as ‘sociable’ as I used to be on social networks. I try to leave minimal cyber footprints”

<b>E</b>	“Not at all but it has taught me a very valuable lesson”
<b>F</b>	“YES! See above”
<b>G</b>	“Yes, I had to stop the group photoshoots”
<b>H</b>	“No”
<b>I</b>	“Yes, I spend less time socialising and updating profiles, statuses and pictures”
<b>J</b>	“Not at all my smart phone has become more of a necessity in life than a leisure item. I can’t do without the internet either”
<b>K</b>	“NO, I have learned from what has happened. So I it is easier for me to notice a stalker, so if one does come my way I avoid it, it hasn’t hindered my time on social networks”
<b>L</b>	“No, I am just more cautious now”

### **3.3.5 Intervention and prevention**

The researcher asked the research participants about the following components of intervention and prevention, namely knowledge of available legislation, report and reaction, effectiveness of the South African law, possible available protection and prevention strategies.

#### **3.3.5.1 Knowledge of available legislation**

The researcher asked the research participants if they were aware of the legislation available to help protect the victims of cyber stalking.

**Table 3.19: Knowledge of available legislation**

Research participants	Knowledge of available legislation
A	"Yes , when I was being harassed I did some research on the internet about cyber harassment law but found nothing in South Africa. I also went onto the SAPS website but they did not provide information regarding cyber stalking"
B	"No don't know about it"
C	"Limited knowledge of the current legislation..."
D	"No I had no idea"
E	"No because when I was at the police station I was told they would investigate my "claims" and in the mean time I should find another place to stay"
F	"No"
G	"No I didn't"
H	"I didn't have full knowledge of the legislation..."
I	"No, never heard or read about it before"
J	"No"
K	"No. I have never heard of it"
L	"No I did not know that"

### 3.3.5.2 Report and reaction of cyber stalking

The research participants were asked if they reported the cyber stalking behaviour to the police. If they did report the incident they were asked to describe the police's reaction to their claims.

**Table 3.20: Report and reaction of cyber stalking**

<b>Research participants</b>	<b>Report and reaction of cyber stalking</b>
<b>A</b>	"I was not sure if I should report the matter to he SAPS... I also do not have trust in the SAPS to be able to take the case seriously and to find the individual and take further actions against him"
<b>B</b>	"No, don't know the people stalking me"
<b>C</b>	"No. I assumed that the cyber stalker was someone I knew in order to copy the pictures from my closed profile"
<b>D</b>	"I did not report it because I didn't feel like it posed any danger to my physical wellbeing"
<b>E</b>	"Yes because I feared for my life. I was the victim, not eating, could not sleep a wink and yet each morning I met with my perpetrator. I was told they would investigate my "claims" and in the mean time I should find another place to stay"
<b>F</b>	"No. I did not believe they would do anything..."
<b>G</b>	"No I haven't yet because I feel that my blog can get more people aware faster..."
<b>H</b>	"No I didn't because non of the cases mentioned above got to the point where I had to inform the police about it"

<b>I</b>	“No, well I didn’t see the need too until it was too late. What was I going to tell them? I had no proof as I deleted the stalker and his contact details and harassing posts”
<b>J</b>	“No I didn’t want my family to find out”
<b>K</b>	“NO, I never felt that I was in any danger”
<b>L</b>	“No, as I did not think that the SAPS would be able to trace people on facebook. And I was scared that the persons would get revenge on me should we have found out”

### 3.3.5.3 Effectiveness of South African law

The research participants were asked to give their opinion on the effectiveness of South African law pertaining to cyber stalking.

**Table 3.21: Effectiveness of South African law**

<b>Research participants</b>	<b>Effectiveness of South African law</b>
<b>A</b>	“I’m unaware South Africa has laws against Cyber harassment”
<b>B</b>	“Don’t think it is that effective unless someone has been murdered”
<b>C</b>	“I don’t think the law is as effective as it should be, mainly because a thorough investigation needs to be done. This process is lengthy as well as costly with court fees”
<b>D</b>	“I had no idea the law was dealing with cyber harassment.”

	I thought the law only got involved when your physical wellbeing was being threatened (e.g. if the girl actually had come to beat me or if that guy had actually physically tried to come find me)”
<b>E</b>	“Not very effective...”
<b>F</b>	“I have no idea but not very I would imagine”
<b>G</b>	Research participant did not answer.
<b>H</b>	“Well I have experienced its effectiveness because I never got to the point where I had to report something to them”
<b>I</b>	“Well the fact that I have never heard of preventative measures nor legislation tells me they not very effective. Cyber harassment should more emphasised in the news and media”
<b>J</b>	“I think they could do better”
<b>K</b>	“I am not sure what the law is”
<b>L</b>	“N/A”

#### **3.3.5.4 Possible available protection**

The researcher asked the research participants whether or not there were any actions that they feel would have protected them better if available to them.

**Table 3.22: Possible available protection**

Research participants	Possible available protection
<b>A</b>	“Personal information on the internet should not be provided to any random person that searches your name...”
<b>B</b>	“...I don't think there is anything one can do about it”
<b>C</b>	“Facebook should have links available in order to report such incidences so that an investigation can be done in order to close profiles”
<b>D</b>	“The option to block your searchability on facebook only came to us late into the development of the social network (after a couple of update editions)...If it had been available from the word go and I had employed it – the girl even knowing my name, would not have been able to find me easily on the site just from typing it in the search bar. But it would have only worked to delay the cyber stalking because she could access my inbox from finding me on a mutual friend profile”
<b>E</b>	“Yes, when I tried to lay a charge on this person I was told to bring proof...If someone is stalking u with a fake alias...how do you even point it at them? By the time I got the "proof" was too late...”
<b>F</b>	“I feel if the security was a bit better on Facebook and the email servers that would have protected my online identity. Unfortunately the very thing that makes things like gmail so easy to use and sign up to anonymously also makes it very hard to get back when it's stolen”

<b>G</b>	“If people weren’t so easily influenced by their FREE photo-shoots which he offered them”
<b>H</b>	“Yes a screening process for private number calls”
<b>I</b>	“Not really. We all know that accepting people you don’t know is a risk you take...”
<b>J</b>	“If the social networks could filter what language people are using, however this is not realistic as they are millions of users and they would argue the right to freedom of speech”
<b>K</b>	“I am not sure”
<b>L</b>	“Not that I can think of”

### 3.3.5.5 Prevention strategies

The researcher asked the research participants to give their suggestions on how cyber stalking can be dealt with effectively.

**Table 3.23: Prevention strategies**

<b>Research participants</b>	<b>Prevention strategies</b>
<b>A</b>	“Report the individual, block them from contacting you telephonically and electronically, and ask for help and support”
<b>B</b>	“We should just be more careful of where we log in with our personal details for stalkers to get them”
<b>C</b>	“Yes it can with aid of vigilant IT professionals that monitor social networks and other websites that require

	personal information from an individual”
<b>D</b>	<p>“I feel like people should be made aware of these laws against cyber harassment. The main reason people do not report such things is because they feel no real crime has been committed. They do not know their rights in terms of being protected against cyber harassment.</p> <p>“I myself would only have thought to go to the police only when I got something extreme like a death threat or a rape threat. I can only imagine the cops would turn me away if I tried to open a case against someone because they were “bugging me”</p>
<b>E</b>	“Do not give out any of your details on the net, do not chat or talk to any unknowns and if you feel someone is strange they probably are...listen to your instincts because they are always right”
<b>F</b>	“Improved internet and online security maybe?”
<b>G</b>	“People must not feel intimidated. They must blog their experiences with others and get support from their family and friends. THE INTERNET IS NOW THE DIGITAL AGE...it can’t be ignored”
<b>H</b>	“The perpetrators should be be uprihanded and dealt wiyh severly because cyber stalking is a hhuge invasion of privacy”
<b>I</b>	“By creating awareness, the media should be reporting on incidents of cyber harassment and its victims. They should make it known as to how to prevent becoming a victim of cyber harassment. Victims should report there incidents instead of thinking it won’t help, and not make

	the mistake I made by not reporting it. Each and every person using social networks should take it upon themselves to be cautious”
<b>J</b>	“I think a harsher punishment should be put into place”
<b>K</b>	“I don’t think it will ever can be totally avoided, as long as people has the freedom to do whatever they like then it will constantly happen”
<b>L</b>	“In some way, one should be able to trace these type of people harassing you. Its sickening and also to think that social networking in the time today starts at a young age. And one cannot really control it”

**3.4 CONCLUSION**

Although the information in this chapter cannot be generalised to the global phenomenon of cyber stalking, imperative data has been received, acknowledged and raised. The data received maintains its qualitative stance through its rich, detailed and quality driven nature. It is transparent from the detailed responses presented, in this chapter, that cyber stalking is occurring in South Africa. The responses provided detailed descriptions of the nature and impact of cyber stalking on the lives of the research participants. This Chapter also explores the use of social networks in the commission of cyber stalking as well as the legal protectiveness and effectiveness of South African legislation as perceived and experienced by the research participants. The chapter serves as a transcription of the criminal event of cyber stalking as told by the research participants. In Chapter 4, the researcher will explore the findings of the study in more detail by means of an interpretive and analytic approach. Additionally, the achievement of the aims and objectives, the identification of preventative measures, limitations of the study and recommendations for future studies will be discussed.

**CHAPTER 4**

## **ANALYSIS AND INTERPRETATION OF QUALITATIVE DATA**

### **4.1 INTRODUCTION**

The focus of the research study rests in its aims and objectives. In brief, the study endeavours to determine the occurrence, nature and impact of cyber stalking in South Africa. Furthermore, it seeks to examine the availability of protective measures as a means of facilitating the application of related legislation. The researcher retrieved the abovementioned information from the 12 research participants involved in the study (vide Chapter 3). At the onset, it was important to ascertain the demographic information of the participants as well as to determine their use of communicative technology. It was then vital to find out the victims' personal experience of cyber stalking and the effects thereof. Lastly, possible intervention and prevention strategies relating to cyber stalking were considered.

In Chapter 2 the above aspects will be examined in terms of the study's findings in an interpretative approach (De Vos, Strydom, Schulze & Patel, 2011: 8). The present chapter's primary goals are twofold. It will begin with a detailed account of an interpretation of the data received during the data collection process. Thereafter, the research will summarise the interpreted findings in terms of similar and divergent findings.

### **4.2 INTERPRETATION OF DATA**

This section, of the present study, is reserved for the interpretation and analysis of the data retrieved from the e-mail interviews exchanged between the 12 research participants and the researcher. The main categories and sub-categories, as established in Chapter 3 (vide section 3.3), will be examined and the responses in each category will be evaluated in terms of current literature.

#### **4.2.1 Demographic information of participants**

The demographic information discussed in this section relates to the age, gender, race and occupation of the research participants who are self-acknowledged victims of cyber stalking.

#### **4.2.1.1 Demographic summary**

- **Age**

All the research participants (research participants A, B, C, D, E, F, H, I, J and K), except for one, (research participant G) who were involved in the study were in the age group of 18 to 25 years old at the time of being cyber stalked. Research participant G indicated that he was 34 years old when he was cyber stalked. Some research conducted in this field indicates that younger people are not as prone to cyber stalking as older people as they are more technologically inclined and vigilant in dealing with cyber security and safety (Williams et al [nd]). The researcher sought to challenge this finding as explained in Chapter 2 (vide section 2.4). All of the research participants except for one (research participant G) fall in the younger age group of victim categories. This minor exception of age could be due to the unique context surrounding the victimisation of research participant G whose business suffered cyber slander and harassment. Research participant G's age is linked to that of a young entrepreneur. The finding that younger people are more prone to cyber stalking is theoretically supported by the lifestyle exposure theory. The theory indicates that younger people engage in particular lifestyles, thus making them vulnerable to victimisation (Davis, 2005: 36; Basson et al 2011). This lifestyle is explained by Vito and Maahs (2012: 66) as a patterned manner in which individuals spread out their time and energies across an assortment of activities. In turn, an online lifestyle is associated with the younger generation as they are more knowledgeable with regards to cyber technology, as compared to their older counterparts. This statement is supported by a book written by Don Tapscott, in which he shares that younger people are raised in a digital era where technology comes naturally and easily to them (Tapscott, 2009: 8).

- **Gender**

Most of the research participants were female (research participants A, B, C, D, E, F, I, J and L) while three were male (research participants G, H and K). Research indicates that women are generally more prone to cyber stalking victimisation than men are, as statically indicated by WHOA in Chapter 2 (vide section 2.2.2.1). Women were also identified as vulnerable targets to cyber stalking victimisation by Mugoni (2011). The findings from the research conducted by the researcher support the notion that women are more vulnerable to cyber stalking victimisation than men are, however, men are not immune to the dangers of cyber stalking as experienced by research participants G, H and K.

- **Race**

The research participants were quite diversified when it came to race. Four of the participants were black (research participants D, E, F and H). Two identified themselves as white (research participants A and G), three were coloureds (research participant B, K and L) and there were three Indian research participants (research participant C, I and J). The lifestyle expose theory suggests that victimisation rates are related to the individuals' demographic particulars such as race (Davis, 2005: 36). The present study's findings portray diversity in the victims' race categories. This could be an indication that cyber stalking is not discriminatory towards race, thus leaving all racial groups vulnerable to victimisation. It is also important to note that when people are interactive within the online environment, one's race can easily be kept hidden or ignored. The findings therefore show that cyber stalking occurs in all racial groups.

- **Occupation**

The research participants occupied a sundry of employment posts. The majority of the research participants were students at the time of the cyber stalking incidents (research participants D, E, F, H, I, J, K and L). Many research studies conducted on cyber stalking and the dangers of social networks targeted students, as respondents, in a university environment (Finn, 2004; Alexy et al 2005; Williams et al [nd]). The selection of this particular sample could be attributed to the ever increasing use of the Internet by students, which increases their vulnerability to cyber victimisation (Finn, 2004).

The remaining research participants stated that they were unemployed, a receptionist, a personal assistant or entrepreneur respectively (research participants A, B, C and G). Research participant G's business opened up opportunities for his cyber stalking victimisation. When promoting his business online, he fell prey to cyber stalking (vide section 3.3.3.4). Research participant H attributed the reasons for his victimisation to his occupation as stipulated in an extract taken from his e-mail interview: "The perpetrators are people who wanted to get my attention or establish a platform to start communication between me and them because of my involvement in the music industry." This indicates that an individual's occupation may open doors to cyber stalking.

#### **4.2.2 General use of communication through technology**

As society evolves more and more people are engaging in communication through technology (Barnett, 2011; Armstrong, Phillips & Saling, 2000: 537; Israelashvili, Kim & Bukobza, 2011: 417). The present study seeks to establish a possible link between an individual's involvement in communicative technology and cyber stalking victimisation.

#### **4.2.2.1 Technological devices**

There seemed to be general consensus among the research participants that the Internet is accessed from mobile phones (in particular smart phones), computers or laptops (vide section 3.3.2.1). This finding is supported by current literature as the Internet is not restricted to computer or laptop accessibility but is easily available through mobile phones – a device which many people possess or have access to. In a study reported by Fitzpatrick (2012), it is claimed that seventy-five per cent of the global population has access to mobile phones. Not only does this mobile accessibility imply effortless access to the Internet but its portability prompts frequency of use and may eventually cause dependency on it.

#### **4.2.2.2 Prevalence of Internet usage**

All the research participants indicated that they used the Internet every day (vide section 3.3.2.1). This regular use of the Internet is in line with the lifestyle exposure and routine activity theory. These theories suggest that specific factors in an individual's lifestyle and routine increase their vulnerability to victimisation (Davis, 2005: 36; Siegel, 2004: 92; Reyns, 2010: 37). In order to become a victim of cyber stalking, one must be an Internet user. In other words, if an individual had no access, contact or involvement with cyber space or the Internet – he or she cannot become a victim of cyber stalking as the required online element is absent. All of the research participants indicated how involved they are in terms of Internet usage as it has become a daily habit. Research participant E went on further to say that she uses the Internet every day – all day long – while research participant D indicated that going online is the first thing she does when she wakes up. In this way, the regular prevalence of Internet usage is linked to the vulnerability to cyber stalking victimisation. Additionally, the prevalence of Internet usage can also be linked to accessibility and security measures as increased frequency of Internet usage may lead to less safe social networking as well as risky browsing and/or online entertainment (Finn, 2004).

### **4.2.2.3 Functions of the Internet**

The uses of the Internet varied across the research participants. However, a consensus can be reached that most research participants used the Internet for browsing, social networking, work, communication and entertainment. It is evident from the research findings that the Internet is used for a range of functions and is thus not limited in its usage. This, in turn, increases dependence on the Internet as indicated in the previous section (vide section 4.2.2.3). If one is dependent on the Internet, especially on a daily basis, then the doors for all types of virtual victimisation are opened, specifically to cyber stalking as experienced by the research participants.

### **4.2.3 Personal experience of cyber stalking**

Through the interviews the researcher endeavoured to discover the possible occurrence and nature of cyber stalking as experienced by victims of the phenomenon in South Africa. The research participants shared their experiences and views regarding their victimisation. Questions were raised and findings were made about the ways in which cyber stalking is carried out as well as the relationship between the cyber stalker and the victim as well as the possible reasons for cyber stalking. The researcher will subsequently attempt to take a profound look into the nature of the cyber stalking incidents. The notion of 'fear' will be addressed, methods to stop cyber stalking will be analysed and victim support and assistance explored.

#### **4.2.3.1 Electronic environment of cyber stalking**

The research participants experienced cyber stalking through different electronic channels. However, it is clear that most research participants (research participants B, C, D, E, G, H, I, J, K & L) were cyber stalked through social networks, namely: Facebook, Twitter, Whatsapp, BBM, Mxit and MySpace. All of the research participants who indicated that they were cyber stalked through social networks, specifically listed Facebook as a channel used against them in the commission of cyber stalking. In

Chapter 2 of the present study, social networks were mentioned as a possible risk of cyber stalking (vide section 2.3). Research indicates that social networks are the most common medium used in cyber stalking (Gross & Acquisti, 2005; Haron & Yusof, 2010; Hill, 2010; Taylor & Spencer, 2004; Anon, Cyber stalking ... 2011; Smith, 2011). The findings in the present study support this notion as social networks were identified as the main channel used in the process of cyber stalking by eleven of the twelve research participants. Other electronic environments used in the commission of cyber stalking were listed to be SMSs, phone calls and e-mails.

#### **4.2.3.2 Relationship to cyber stalker**

Just over half of the victims reported their cyber stalkers to be strangers (research participants B, C, D, H, I, K & L). The remaining research participants (research participants A, D, E, F, G & J) reported that they knew the cyber stalker and shared some sort of relationship – be it a casual acquaintance or friendship. None of the research participants indicated that they were ever romantically involved with their cyber stalkers or shared any biological relationship. There seems to be a minor disparity between the presence and absence of a relationship between the victims and perpetrators of cyber stalking. This finding is maintained by the statistics provided in Chapter 2 from the WHOA portal (vide section 2.2.2). This is, in no way, regarded to be entirely factual by the researcher, as the (previous) information mentioned is not statistically accurate or representative, but rather seeks to point out the link between the relational disparities. It seems to be apparent that most of the research participants' (research participants A, D, F, G & J) relationship with their cyber stalker falls under the casual friends or acquaintances category. These are people who are known to the victims either personally or virtually (Pathé, 2002: 44). In one case (research participant G), the participant explained that he knew his cyber stalkers as a result of relationships with professional contacts. Research indicates that this has overwhelming consequences for the victim's career and reputation (Pathé, 2002: 45). These effects are mentioned by research participant G and will be discussed later on within this chapter (vide section 4.2.4.2). Research participant H mentioned that due to his up and

coming fame, he became vulnerable to cyber stalking on more than one occasion, as communicated by him: “The fact that I am an aspiring musical artist who enjoyed a certain amount of television exposure. The perpetrators are people who wanted to get my attention or establish a platform to start communication between me and them because of my involvement in the music industry.” This coincides with previous research findings that celebrities are often targeted and that because of their celebrity status they may attract multiple pursuers (Pathé, 2002: 47).

#### **4.2.3.3 Reasons for cyber stalking**

All of the research participants provided various reasons for their episodes of cyber stalking as unique to their personal experiences. With regard to incidents of cyber stalking where a perceived romantic relationship existed (according to the cyber stalker), the following possible reasons for cyber stalking were mentioned. Research participant A attributed the reasons for her victimisation to the cyber stalker’s jealousy, spitefulness and obsession with her. Research participants A, D, I and J concurred that their cyber stalkers were motivated by rejection. This is clearly illustrated by research participant J: “... a bruised ego, he was unable to handle rejection.” This motivation attributed to the cyber stalker is supported by research, in that rejection often triggers the commencement of cyber stalking against the victim (Lucks, 2004: 2). Some of the research participants (research participants C & D) indicated that they were cyber stalked because their cyber stalkers wanted to hurt them and chose to do so through electronic channels, as this was not possible in real life. Two of the research participants (research participants G & H) suggested that they were cyber stalked as a result of their involvement in their chosen careers. Three of the research participants (research participants B, K & L) shared that they were unaware of the reasons for the cyber stalking behaviour. Victims of cyber stalking often do not know why they are targeted due to the anonymity and clandestine nature of the phenomenon (Mullen et al 2009: 155). Two of the research participants provided unique reasons for their cyber stalking incidents. Research participant E allocated racism to her cyber stalking episode. Meanwhile, research participant F believed her cyber stalker to be mentally ill.

Pittaro (2007:188) confirms that literature does often identify a link between cyber stalking behaviour and mental health issues, which may develop from various psychopathological conditions, including paranoid and delusional disorders. From the current account, it is apparent that there are many reasons as to why cyber stalking may take place. It is important to note that these reasons are specific to each individual case, although common patterns may exist.

#### **4.2.3.4 Nature of cyber stalking incident**

The researcher endeavoured to gain clarity on the nature of cyber stalking. In order to gain clarity on the nature of the cyber stalking phenomenon, the research participants were asked to give a detailed account of the characteristics of their unique cyber stalking episode as well as the manner in which it was carried out. All of the research participants, except research participant H, provided a response for this question. Due to the vastness and diversity of the research participants' responses, the researcher decided to categorise their answers in a typology developed by McFarlane and Bocij (2005). The researcher categorised the present study's findings on the nature of cyber stalking into the following broad themes.

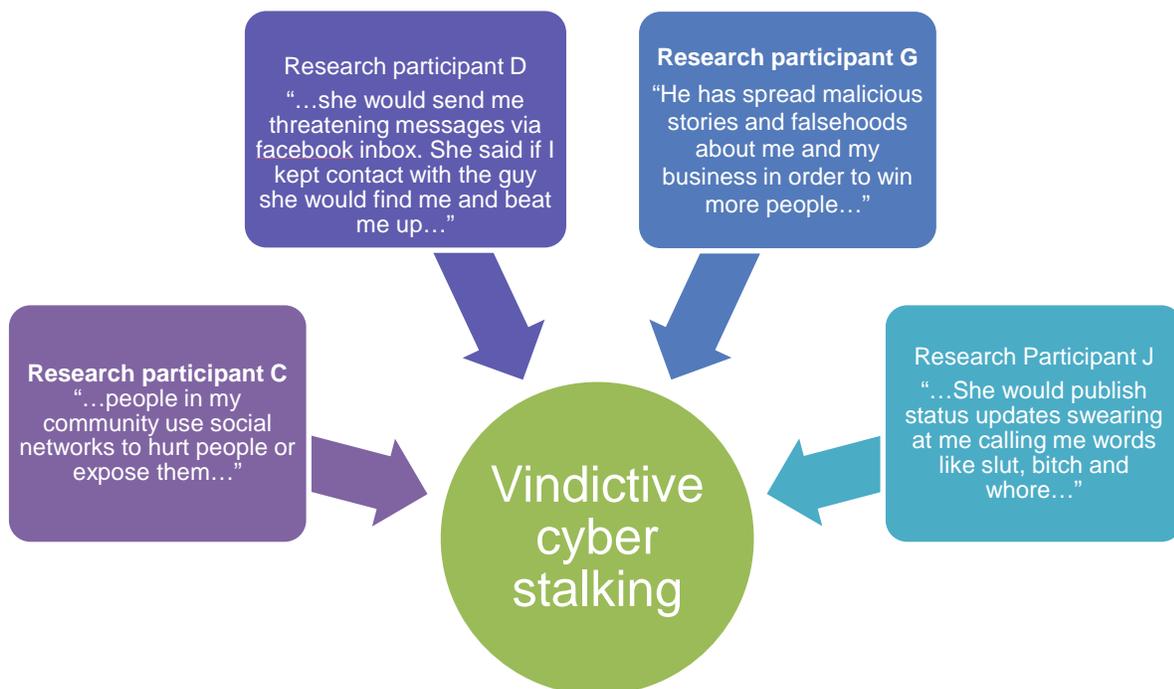
- **Vindictive cyber stalking**

This type of cyber stalking is characterised by the ferocity used when pursuing victims. As characterised by a vindictive nature, cyber stalking is often motivated by spitefulness, malice and cruelty. The cyber stalking victims are continuously threatened and may even be stalked offline in conjunction with the online stalking (McFarlane & Bocij, 2005). Cyber stalking is sustained through excessive spamming, e-mail bombing and identity theft. The cyber stalker's computer skills will often range from medium to high (Pittaro, 2007:188).

The researcher grouped research participants C, D, G and J's account of the nature of their cyber stalking episode into the vindictive cyber stalking category. All of these research participants concurred that their cyber stalkers sought out to hurt them

through their cyber stalking behaviour. This can be illustrated through the following extracts from research participants C, D, G and J.

- **Figure 4.1: Vindictive cyber stalking**



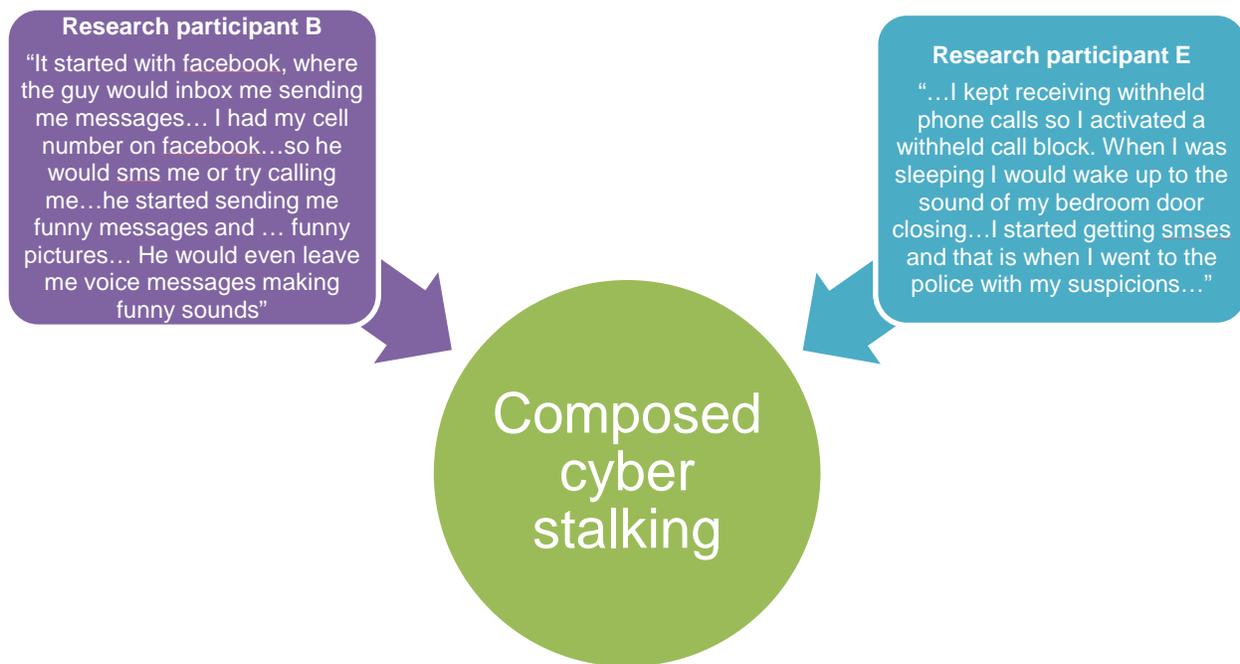
It is clear from the above illustration (Figure 4.1) that within vindictive cyber stalking, the cyber stalker is motivated by vindictiveness; in that, they use electronic channels to maliciously hurt their victims.

- **Composed cyber stalking**

Within composed cyber stalking, the cyber stalker's actions are intent on causing persistent annoyance and nuisance to the victims. They do not seek to establish a relationship with their targets but rather seek to cause distress through threatening behaviour (McFarlane & Bocij, 2005). Pittaro (2007:188) adds that victims are cyber

stalked in a calm and poised manner. The researcher grouped research participant B and E in this cyber stalking typology as illustrated in Figure 4.2 below.

- **Figure 4.2: Composed cyber stalking**



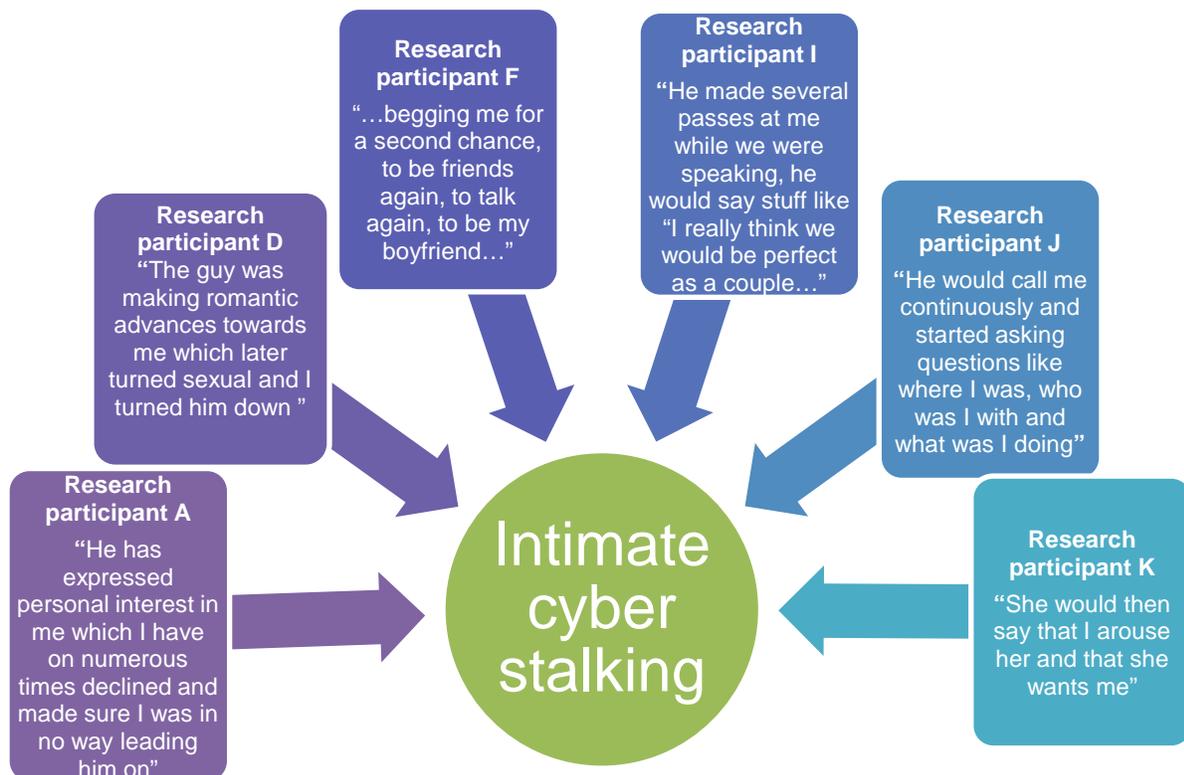
Based on research participant B and E's accounts of their respective cyber stalking experiences, they were cyber stalked in a calm and collected manner. The cyber stalkers' motives were sustained through constant annoyance and it appears, based on the victims' account of the cyber stalking episodes that the cyber stalking was motivated by the desire to cause distress for the victims encountered.

- **Intimate cyber stalking**

Within the realms of intimate cyber stalking, the cyber stalker tries to gain the feelings or attention of their target. The cyber stalker seeks to establish a relationship with the victim based on infatuation and obsession. The cyber stalking is

characterised by various electronic efforts to gain the victim's attention through recurrent messages and phone calls, often demonstrating detailed knowledge about the victim (McFarlane & Bocij, 2005). Half of the research participants (research participants A, D, F, I, J & K) related their cyber stalking experience to that of the intimate nature. Throughout their e-mail interviews, it was clear that the cyber stalker desired to develop some sort of romantic relationship with their prey regardless of the victims' feelings about this or marital status.

● **Figure 4.3: Intimate cyber stalking**



It is clear from the accounts of research participants A, D, F, I, J and K reflected in Figure 4.3 that intimate cyber stalking occurred. All of these research participants did not share the romantic affections of their cyber stalker and were not interested in the

formation of a relationship. It appears as if the cyber stalkers could not accept this rejection and resorted to various continuous cyber stalking behaviours.

- **Collective cyber stalking**

This category of cyber stalking is typified by two or more individuals pursuing a victim through electronic communicative technology. Impersonation and encouraging others to harass the victim are common behaviours associated with this type of cyber stalking (McFarlane & Bocij, 2005). Research participant L bore witness to this type of cyber stalking as she was simultaneously cyber stalked by two different people: “Both persons masturbated to my photos on Facebook, telling me how they are aroused and that they are physically doing it while the message was sent by them”.

#### **4.2.3.5 Fear of cyber stalking behaviour**

Most of the research participants (research participants (A, B, D, E, G, I, J, K & L) expressed that they were afraid of the cyber stalking behaviour carried out against them. Four of the research participants (C, D, F & H) said that they were not afraid of the cyber stalking behaviour. Instead, they felt angry and disgusted (research participants D & H). The majority of the research participants said that they feared that the cyber stalker would harm their reputation and continue to virtually pursue them or begin to physically stalk them. Research participant A and K feared that their cyber stalker would commit suicide. This interaction can constitute as emotional blackmail. Given that, emotional blackmail is a form of manipulation which commences with a direct or indirect demand or request accompanied by pressure or threats, followed by initial resistance from the victim, eventually ending in compliance (Forward, 2006). The research participants generally stated that they feared for their safety and that the online harassment would continue to disrupt their lives. This intense fear, experienced by most of the research participants, is supported by literature as a common theme mentioned by the victims of cyber stalking (Drahokoupilová, 2007: 152).

#### **4.2.3.6 Actual occurrence of feared behaviour**

Some of the research participants (research participants D, I, J, K & L) expressed that none of the feared behaviour actually occurred. The fact that cyber stalking sometimes does not manifest itself in real life may be why cyber stalking is not regarded as a serious crime. Research participants A and H said that their cyber stalker went as far as contacting their family members during the cyber stalking process. Moreover, research participant E mentioned that her cyber stalker came into her room many times when she was not there. As a manifestation of the feared behaviour, research participant G explains in his e-mail interview how his business has been drastically affected due to his online victimisation. The international murder case of Amy Boyer was one of the first cases of cyber stalking that drew widespread media coverage (Bocij, 2004: 30). According to an article written by Moya (2009), featured on Columbia Broadcasting System (CBS) news, Liam Youens, a disturbed young man stalked Boyer for more than four years, and documented his obsession with her and his plans to murder her on a website that he created about her. Youens used the Internet to find all the information required to track his victim, which included her Social Security number, the name of her employer and her place of employment's physical address (Moya, 2009). He eventually murdered her, exactly as described on the website. This case is a practical example of just how thin the line is between virtual reality and actual reality. The investigating officer who worked on the case stated that the crime would probably not have occurred if the police and community had been aware and taken serious note of the information contained on the website (Moya, 2009).

#### **4.2.3.7 Methods employed to stop cyber stalking**

The research participants were asked what they did in reaction to the cyber stalking, in an attempt to stop it. The research participants provided the researcher with many different answers as to the methods that they employed to stop the cyber stalking. These methods often bore testimony to their unique cyber stalking experiences, which also made them difficult to categorise. Most of the research participants (research

participants A, C, D, H, I, J and L) used the security options available within social networks or e-mail facilities to confront or block their cyber stalkers. Research participant F indicated that she went as far as deleting all her social network profiles in order to stop the cyber stalking. Two of the research participants (research participants B and J) said that they resorted to changing their phone numbers in an effort to stop the cyber stalking. Research participant E said that she went to the police as a method of stopping the cyber stalking. Research participant G decided to create a blog which documents his victimisation journey as an effort to discredit his cyber stalker. Research participant G's experience can be linked to the cycle of violence (Dissel, 2005: 308) since, as a method to stop the cyber stalking behaviour, he retaliated by adopting an online strategy to discredit his cyber stalker. In this way, the victim has, in a sense, become the perpetrator.

#### **4.2.3.8 Possible additional methods employed to stop cyber stalking**

The researcher requested the research participants to reflect back on their cyber stalking incidents to identify anything else that they could have done to stop the cyber stalking. A few of the research participants (research participants A, E, I, J and K) blamed themselves for the cyber stalking. Often, in an attempt to re-gain control, victims blame themselves for the events that take place. It is important to acknowledge this occurrence and not put any further elements of blame on the victims (Pretorius & Louw, 2007: 76). Two of the research participants (research participants B and L) took on a defensive front when answering this question. Research participant B said there is nothing one can really do in such a situation; while research participant L said she was too scared and therefore could not think straight on how to handle the matter. Research participants F and H believed that they should have sought legal aid in dealing with the cyber stalking.

#### **4.2.3.9 Victim support and assistance**

Most of the research participants said that they received support and assistance from their friends or specified family members (research participants B, C, E, F, H, I, J, K & L). Research participants A and D expressed that they had no support when dealing with their cyber stalking episodes. It is noteworthy that research participant B said she received support from a friend who had also been cyber stalked, while research participant G said that he received support via his online blog. The research participants provided valuable insight to the researcher. Based on the research participants' experiences, there are no known or practising formal or semi-formal support systems in place, in South Africa, to provide cyber stalking victims with support and assistance in dealing with their victimisation. This can be considered to be a direct result of the uniqueness of cyber stalking and the dearth of knowledge related to it. There are various formal role players who can provide assistance in this regard such as police officials, legal representatives, psychologists and criminologists. These role players should be knowledgeable enough to provide victims of cyber stalking support and assistance within their respective professions. With regards to semi-formal support infrastructures – victim support can be obtained through support groups both offline and online. These support groups should consist of victims who had experienced cyber stalking, and should be led by a neutral facilitator who is familiar with the phenomenon. Also, more support groups could be set up online, in terms of blogs, websites and online groups within social networks providing assistance and support for victims of cyber stalking.

#### **4.2.4 Effects of cyber stalking**

Cyber stalking has many different effects which, as discovered through the present research study, cannot be easily grouped and are specific to each victim's individual experience. However, for the purpose of clarity, the researcher divided the effects of cyber stalking into three broad categories, including the theme of 'reduction in electronic

communication' as a separate effect because of its commonality among the victims of cyber stalking.

#### **4.2.4.1 Psychological effects**

Research indicates that cyber stalking has the potential to cause psychological effects on the victims involved (Bocij, 2004: 80; Pathé, 2002: 51; Drahekoupilová, 2007: 152; Pittaro, 2007: 190; Merschman, 2001: 265). The large majority of the research participants (research participants A, B, C, D, E, G, I, J & L) confirmed that they experienced psychological effects from their cyber stalking victimisation. These effects ranged from stress, hurt, paranoia and betrayal to anger, fear and in some cases even depression. It is noteworthy that research participant E described her experience as a violation of privacy which left her feeling naked for a while. The research participant's perception of nakedness can be attributed to feelings of vulnerability, exposure and defencelessness. This figurative illustration emphasises the seriousness of the effects caused by cyber stalking on the victims involved. Such effects may have implications on the victims' daily lives, for instance, stress may cause various health hazards while fear and depression can result in the avoidance of certain situations, places or people (Smith, Segal and Segal, 2012). As a result, this can adversely affect an individual's quality of life, because now their decisions are influenced by previous painful experiences which can consequently be disadvantageous in terms of health, relationships and daily living.

#### **4.2.4.2 Psychosocial effects**

Cyber stalking may affect the interpersonal, professional and general social functioning of the victims involved, resulting in psychosocial changes. These effects may manifest through relationships, work environments or social patterns. Most of the research participants (research participants A, B, C, D, E, F, G, I & J) reported that they had experienced some psychosocial effects of cyber stalking in their lives, ranging from the changing of contact details and the termination of friendships to poor concentration at

work, avoidance of certain places and relocation. All these psychosocial effects caused by cyber stalking, as reported by the research participants, are supported in literature as discussed in Chapter 2 (vide section 2.2.9).

#### **4.2.4.3 Physical effects**

The victims' experiences of physical effects can be described as the tangible consequences brought on by an episode of cyber stalking. On the whole, the research participants reported common physical effects as a result of their cyber stalking victimisation. Four of the research participants (research participants D, F, I & K) said that they experienced no physical effects from the cyber stalking, while research participants C and H did not answer the question. Half of the research participants (research participants A, B, E, G, J & L) reported experiencing some physical effects prompted by their victimisation. These effects include sleep disturbances, constant worry and paranoia, poor concentration and the fear of "being watched". It can thus be concluded from the findings that it appears as if physical effects, if any, of cyber stalking are the least dominant type of effect one can experience.

#### **4.2.4.4 Reduction in electronic communication**

Just over half of the research participants (research participants A, B, C, D, F, G & I) indicated that their cyber stalking victimisation caused the reduction of their involvement in electronic communication. Some of the research participants (research participants B, C, D, K and L) reported that they are now more vigilant and cautious regarding online security when they engage in electronic communication. Some of the research participants now prefer to completely disengage themselves from electronic communication. This reduction in electronic communication seems to be a major effect of cyber stalking as cyber technology and electronic communication systems provide countless benefits to its users such as accessibility, mass communication and social relief (Fenell, 2012). Jones (2012) adds that communicative technology affords the user convenience, knowledge empowerment and savings with regard to money and time.

The decision made by victims of cyber stalking to reduce their involvement in cyber technology and electronic communication can be regarded as a limitation, causing them to now miss out on the benefits that they once previously enjoyed.

#### **4.2.5. Intervention and prevention**

As stipulated by Du Plessis and Holtmann (2005:152), the diminution of victimisation can only occur as a result of increased crime prevention and intervention strategies. Crime prevention involves all the actions and efforts involved in lessening the level of crime or the perceived fear of crime (Lab, 2004: 23). Burger (2006: 13) makes a point of noting that intervention usually occurs only after a crime has been planned, attempted or committed. For this reason, in order to maximise crime prevention effectively, intervention should be promoted even before a crime is planned. These statements regarding crime prevention and intervention are reflective of the current state of cyber stalking in South Africa. However, the practical application of available cyber stalking intervention and prevention is deemed ineffective, judging from the research participants' overall evaluations as stipulated below.

##### **4.2.5.1 Knowledge of available legislation**

It is widely accepted that knowledge is equivalent to power. Awareness and know-how provide a person with power in terms of control and protection. None of the research participants could confidently indicate that they were fully aware of the available protective laws drafted in South African legislation. Two of the research participants (research participants A & E) indicated that they sought assistance from the police either offline or online, but were unsuccessful. A few of the research participants went as far as to say that they had never heard of laws addressing cyber stalking before.

#### **4.2.5.2 Report and reaction of cyber stalking**

Research participant E was the only participant who physically reported the cyber stalking incidents to the SAPS. She was instructed by police officials to find alternative accommodation while her claims were being investigated. Some of the reasons posed for not reporting the cyber stalking were attributed to not knowing who the perpetrator was, fear of retaliation from the perpetrator, lack of perceived danger and fear as well as the lack of trust in the SAPS. This deficiency in reporting may contribute to obscure crime statistics, because official records, statistics and general awareness about cyber stalking are not accurately documented (Singh, 2011: 91).

#### **4.2.5.3 Effectiveness of South African law**

All of the research participants, except two, (research participants G & H) responded that they viewed South African legislation as ineffective in dealing with cyber stalking. They attributed this ineffectiveness to the trivial nature of the incidents as compared to more serious crimes, the lengthy and costly process of acquiring justice as well as unawareness of current legislation regarding cyber stalking. This perception of ineffectiveness is founded on the research participants' personal views of the law. However, these views are not substantiated by South African legislation. In Chapter 2, the researcher presented a lengthy discussion of South African legislation addressing cyber stalking (vide section 2.6). In summary, there is adequate legislation addressing cyber stalking in South Africa, however, the awareness and application of it is undetermined. This uncertainty in awareness, by the general public, and application of legislation by the officials such as the SAPS, is further developed as victims of cyber stalking are less likely to report this type of crime (vide section 4.2.5.2).

#### **4.2.5.4 Possible available protection**

Many of the research participants discussed the role of social networks and security as a means of online protection. Half of the research participants (research participants A, C, D, F, H & J) attributed blame to these online communities, while one research participant (research participant I) was of the opinion that protection against online misdemeanours is the responsibility of the online user. Both of these viewpoints hold valid positions as online protection should be the personal and corporate responsibility of the online stakeholders. Bocij (2004: 179) adds to this as he writes that online users should implement strict control with regards to the personal information they share online. Additionally, most social networks have vigilant security measures available to their users. However it is up to the users to familiarise themselves with these options and apply them accordingly.

#### **4.2.5.5 Prevention strategies**

The research participants mentioned various possible approaches in the prevention of cyber stalking. These approaches ranged from vigilance and caution when accessing and interacting within online domains to the recruitment of specialised professionals in dealing with online security. There are many ways in which individuals can protect themselves against cyber stalking. This preventative analysis is discussed in more detail in Chapter 5 (vide section 5.4.1).

### **4.3 SUMMARY OF RESEARCH FINDINGS**

A summary of the research findings will briefly be exhibited in terms of similar and divergent findings. These findings are based on the research participants' responses to the themes identified by the researcher.

### 4.3.1 Similar findings

The following similar findings emerged from the e-mail interviews conducted between the researcher and the research participants.

- With regards to age and gender, most of the research participants were young, ranging from 18 to 25 years of age, while the large majority of research participants were female.
- The large majority of research participants indicated that they were students at the time of the cyber stalking incidents.
- Most of the research participants reported accessing the Internet through their mobile phones, although laptops and personal computers were also mentioned as technological devices used in accessing the Internet.
- In terms of prevalence, all of the research participants said that they used the Internet on a daily basis.
- The majority of the research participants shared that they were cyber stalked through social networking sites, confirming the electronic communication environment of cyber stalking.
- Most of the research participants stated that their cyber stalkers were strangers. None of the research participants were ever romantically involved with their cyber stalker or mentioned sharing any biological relationship to the stalker.
- Many of the research participants expressed that the cyber stalking resulted in them feeling fear that the cyber stalking behaviour would not only produce negative consequences against them but also feared that the online victimisation might develop into more serious misdemeanours.
- The majority of the research participants said that their fears regarding the cyber stalking behaviour were materialised in forms of offline contact and stalking tendencies by the cyber stalker.
- In terms of victim support and assistance, most of the research participants reported that they received support and assistance from their friends or family members.

- The vast majority of research participants experienced psychological, psychosocial and physical effects as prompted by the cyber stalking victimisation.
- More than half of the research participants shared that the cyber stalking incidents resulted in their decisions to reduce their involvement in electronic communication.
- All of the research participants indicated that they were unaware of the available legal protection drafted in the South African law, pertaining to cyber stalking.
- Most of the research respondents did not report the cyber stalking victimisation to any form of authorities.
- Based on their personal experiences of cyber stalking, most of the research participants deemed South African legislation pertaining to cyber stalking, as ineffective.
- Many of the research participants targeted online security measures as a means of possible available protection from cyber stalking victimisation.

#### **4.3.2 Divergent findings**

The following divergent findings emerged from the e-mail interviews conducted between the researcher and the research participants.

- The research participants differed in race. The racial groups identified, in the present study, were White, Black, Coloured and Indian.
- The research participants used the Internet for various different functional purposes. Some of the research participants used the Internet for personal reasons, while others use the Internet for occupational purposes. Whereas, some research participants used the Internet for both personal and occupational purposes.
- The research participants provided a variety of reasons to explain the cyber stalking behaviour. It was identified that the reasons for cyber stalking were directly linked to the specific cyber stalking incidents.
- The nature of the cyber stalking incidents were diversified and lengthily explained by the research participants. The nature of cyber stalking, as perceived by the research

participants, can be divided into four categories – namely, vindictive, composed, intimate and collective cyber stalking.

- The methods employed to stop the cyber stalking as well as the identification of possible additional methods were varied according to the unique cyber stalking incidents experienced by each research participant.
- The research participants came up with various possible future approaches with regards to the prevention of cyber stalking.

#### **4.4 CONCLUSION**

In this chapter, all the responses obtained from the research participants, through the e-mail conversations, were interpreted and analysed. These interpretations and analyses were made by applying and linking current literature to the empirical findings of the study. Cyber stalking, in South Africa, was explored through the first hand experiences of the victims of cyber stalking. The main findings of the study were summarised in terms of similar and divergent findings.

## **CHAPTER 5**

### **ACHIEVEMENT OF AIMS, RECOMMENDATIONS AND CONCLUSION**

#### **5.1 INTRODUCTION**

The focal point of this study was to explore the occurrence, nature and impact of cyber stalking as well as to determine the effectiveness of protective measures available to the victims thereof. The researcher conducted interviews with victims of cyber stalking in South Africa. As earlier discussed, cyber stalking is a relatively new phenomenon to emerge from cyber crime. In the present chapter, an evaluation of the achievements of aims and objectives, set out in Chapter 1 (vide section 1.7) of the study, will be analysed. The objectives of the study will be elaborated on to illustrate how the aims of the study were achieved. Additionally, the limitations of the study, identified by the researcher, will be discussed. Moreover, the researcher will provide various recommendations for the intervention and prevention of cyber stalking as well as for future research in its related fields. The chapter will conclude with a discussion of the value of the present study, in that it describes how the study may contribute to contemporary Criminology.

#### **5.2 ACHIEVEMENT OF AIMS AND OBJECTIVES OF THE STUDY**

The present study was guided by a clear focus in the beginning of the research journey. This focus was not only the point of departure for the study but also a central and key component in the research process. The achievement of aims and objectives, as established in section 1.7, will be discussed.

### **5.2.1 Achievement of aims**

- **The exploration of the occurrence, nature and the impact of cyber stalking among research participants**

The first aim was to explore the occurrence, nature and the impact of cyber stalking among research participants.

- **The examination of protective measures available as a way to facilitate the operational efficiency of applicable legislation**

The second aim was to examine the protective measures available to the victims of cyber stalking, as a way of facilitating the operational efficiency of applicable legislation.

Since the aims of any study can only be achieved through its objectives (Fouché & De Vos, 2005: 107), the achievement of the study's aims will be discussed within the boundaries of its objectives

### **5.2.2 Achievement of objectives**

- **The occurrence and nature of cyber stalking**

The first objective of this study was to determine the occurrence and nature of cyber stalking among the victims thereof. It was important to establish the actual occurrence of cyber stalking – whether or not it is being practised, as well as the nature of it, including its various facets. A literature review was undertaken to gain insight on the phenomenon of cyber stalking, in this regard. The researcher made use of both national and international sources to achieve this objective. The literature review conducted on the possible occurrence and nature of cyber stalking functioned as a guideline and reference point when conducting the empirical research. Empirical research was undertaken in order to establish the possible occurrence and first-hand understanding of cyber stalking as perceived by the

victims thereof. Therefore, the researcher made use of both theoretical knowledge and empirical research to achieve the first objective.

Although there are no known official statistics of cyber stalking in South Africa, an international source (vide section 2.2.4) was used as reference to report on the occurrence of the phenomenon. This, in addition to the amount of literature on cyber stalking, indicates that cyber stalking does exist and is being practised. In the current research 12 people responded to the call to be part of the research study – all of them reported that they were victims of cyber stalking. They all, willingly, provided detailed and comprehensive information regarding their cyber stalking victimisation within the data collection process. Although only 12 research participants came forth to be part of the research study, their willingness to participate and depth of information provided showed that cyber stalking is being practised in South Africa.

The nature of cyber stalking was identified as an objective of the study, in order to share some clarity on the various aspects of the phenomenon. Through the literature review, it was discovered that the nature of cyber stalking is quite complex and multi-faceted. Various aspects of cyber stalking were investigated both in literature and in practice. As retrieved from the information provided by the research participants, the following aspects about the nature of cyber stalking were determined. It was found that most research participants were female and between the ages of 18 and 25 years old. The racial classifications of the research participants varied and most of the research participants were students at the time of victimisation. The research participants communicated electronically, mostly via their cell phones, and all of them reported to using the Internet on a daily basis. The research participants indicated that the cyber stalking mostly took place via social network sites. Most of the research participants reported that they did not know their cyber stalker and the reasons given for the cyber stalking behaviour varied according to the unique situation of the cyber stalking incident. The information received about the actual cyber stalking incidents was classified in terms of vindictive, composed, intimate and collective cyber stalking. Most of the research participants expressed that they

feared the cyber stalking behaviour and in most cases the feared behaviour actually occurred.

Based on the above discussion, the objective to determine the occurrence and nature of cyber stalking among participants has been achieved.

- **The impact of cyber stalking on the victims**

The second objective of the study was to determine the impact of cyber stalking on the research participants. A literature review in conjunction with empirical research was used to achieve this objective. The former introduced the scope of the possible impact of cyber stalking while the latter was used to gain an applied understanding of the impact of cyber stalking on the victims thereof. The discussion below represents an integration of the theoretical and empirical research conducted on the impact that cyber stalking has on the victims.

The research participants reported various implications that the cyber stalking had for the victims thereof. It was mentioned in Chapter 4, of the present study, (vide section 4.2.4) that the impact of cyber stalking on the victims was largely linked to the nature of the cyber stalking incidents and specific to each individual case. Nonetheless, themes and patterns emerged from the data collected. Most of the research participants reported to feelings of stress, hurt, paranoia and betrayal to anger, fear and in some cases even depression. The violation of privacy linked to feelings of nakedness was mentioned by research participant E. Additionally, the research participants listed sociological effects of the cyber stalking ranging from the changing of contact details and the termination of friendships to poor concentration at work, avoidance of certain places and relocation. In this way, it was determined that cyber stalking may affect the interpersonal, professional and general social functioning of the victims involved. Furthermore, half of the research participants said that they experienced some physical effects prompted by their victimisation. These effects include sleep disturbances, constant worry, poor concentration, stress and the fear of “being watched”.

As typical of the cyber-related theme of the present study as well as the nature of the cyber stalking phenomenon, it was anticipated that cyber stalking may have consequences on the victims' interactions and involvement in cyber space and communicative communication. The majority of the research participants reported to either disengaging themselves from all forms of cyber communicative technology or drastically reducing their involvement in the realms of cyber space. As discussed in Chapter 4 (vide section 4.2.4.4), this behaviour has disadvantages for any individual who once enjoyed the benefits of cyber technology.

- **The role of social networks in the commission of cyber stalking**

The third objective was to determine the extent of the usage of social networks in the commission of cyber stalking among participants. During the literature review, it was discovered that social networks are often associated with cyber stalking. This association is largely due to the ease and freedom provided through social networks to find individuals and gather information about them as discussed in section 2.3 of the present study.

As the e-mail interviews progressed, it became apparent that the role of social networks in the commission of cyber stalking, as experienced by the research participants, was mentioned frequently. The majority of the research participants noted that they were cyber stalked through social network sites. The findings from the empirical research confirmed the discussion held in the literature review (vide section 2.3), in that they both concurred that social networks are frequently used in the commission of cyber stalking. Although most of the research participants mentioned that they were cyber stalked through social networks, they also noted that they used these sites' security settings to confront or block their cyber stalkers (vide section 4.2.3.7). Many of the research participants also emphasised the role of social networks in preventing cyber stalking through making proper use of its security settings (vide section 4.2.5.4). Interesting to note, is that social networks were also identified as a means of victim intervention, in terms of an online podium which can offer support and assistance to the victims of cyber stalking (vide section

4.2.3.9). In this way, although social networks were recognised as definite role players in the commission of cyber stalking, they can be beneficial in the prevention and intervention of it, if used effectively.

In light of the above discussion, the objective to determine the extent of the usage of social networks in the commission of cyber stalking among participants has been achieved.

▪ **The legal protective measures available to victims of cyber stalking**

The fourth objective was to determine the legal protective measures available to the victims of cyber stalking. This objective first needed to establish the legal status of cyber stalking in South Africa. It was ascertained that although there is no specific law in South Africa instituted to address cyber stalking, South African legislation does make reference to cyber stalking as an illegal activity within various other laws. These laws were discussed in Chapter 2 (vide section 2.6), of the present study and take form in the following legislation:

- The Electronic Communications and Transactions Act 25 of 2002,
- The Domestic Violence Act 116 of 1998,
- The Protection from Harassment Act 17 of 2011 and
- *Crimen injuria*.

It was discovered through the interaction with the research participants that none of them were confidently aware of any legislation addressing cyber stalking in South Africa. It can therefore be determined that although none of the research participants were aware of the legal protective measures available to them, there is substantial legislation drafted in South Africa to address the phenomenon.

In light of the above discussion, the objective to determine the legal protective measures available to the victims of cyber stalking has been achieved.

- **The effectiveness of the application of legislation in protecting victims of cyber stalking**

The fifth and final objective was to determine the effectiveness of the application of legislation in protecting the victims of cyber stalking. It was established in Chapter 2 of the present study (vide section 2.6) that there is extensive legislation dealing with cyber stalking in South Africa. However, it was also noted that none of the research participants (vide section 4. 2.5.1) were aware of these laws pertaining to cyber stalking, although they were quick to deem it ineffective. This notion makes it difficult to determine the effectiveness of the legislation as all of the research participants failed to encounter it. Nonetheless, research participant E went to the SAPS to acquire assistance in dealing with the cyber stalking behaviour practised against her, but her efforts were proven fruitless as she was sent away unassisted. This scenario is an indicator that although cyber stalking is effectively addressed in the drafting of legislation, it is ineffectively administered at grass roots level, where the police act as the gatekeepers and vital role players in the reporting and intervention of crime.

Based on the above discussion, the objective to determine the effectiveness of the application of legal protective measures available to the victims of cyber stalking has been achieved.

### **5.3 LIMITATIONS OF THE PRESENT STUDY**

The findings reported in this dissertation should be considered in light of the limitations of the research. The following limitations of the study were identified during the research process.

#### **5.3.1 Contemporary nature of the study**

As explained throughout the literature review (vide Chapter 2) of the present study, cyber stalking is a contemporary issue which is rarely empirically researched and thus only vaguely understood. The phenomenon is relatively widely researched

internationally; however South African research represents a dearth of knowledge pertaining to it. Consequently, only a limited number of relevant South African sources could be traced. In terms of literature it was discovered that stalking and cyber stalking are terms which often overlap (vide section 2.2.5). For this reason, research in this field often adapts literature on stalking to the practise of cyber stalking. This adaption may contribute to the misunderstanding of cyber stalking. Also, due to the online nature of the research study, the use of Internet sources was required. Furthermore, the researcher could not obtain any statistically recorded evidence of cyber stalking, as it not classified under specific legislation but rather addressed through various other laws.

In spite of the challenge of researching a contemporary phenomenon, the researcher explored the 'unknown' in an effort to contribute to contemporary criminology from a South African perspective.

### **5.3.2 Sample size**

Only 12 victims of cyber stalking volunteered to take part in the research study. Although a small sample size was anticipated from a qualitative inquiry, combined with the contemporary nature of cyber stalking, the researcher struggled to find enough research participants to take part in the study. In an effort to overcome this challenge, the researcher engaged in a vigorous course, still using the proposed sampling methods set out in Chapter 1 (vide section 1.8.3), to find more research participants. This was done through using more than the 10 proposed known users of popular social network sites. Also, online friends were requested to advertise a call for research participants to friends of friends until the researcher had received the 12 research participants who played a vital role in the research process. None of the research participants needed to be excluded from the research process as they all met the requirements set out in Chapter 1 (vide section 1.8.3). Possible reasons for the low response rate can be attributed to the ambiguity associated with cyber stalking, in that not many people are aware of what it entails and how it affects them. Also, potential participants may not have had the time, energy or patience to complete the e-mail

interview. Moreover, potential participants may have felt their cyber victimisation too trivial to participate in the study.

Despite the small sample size, Greeff (2011: 350) and Francis (2011: 24) agree that qualitative research permits and accepts the use of small sample sizes. Therefore, even though the 12 research participants included in the study were not representative of the total population, it is not the aim of the study to make generalisations; but to rather explore cyber stalking as perceived and experienced by the victims thereof.

### **5.3.3 Data collection method**

As discussed in Chapter 1 (vide section 1.9), there were some anticipated challenges with conducting e-mail interviews as well as with the interview schedule. With regards to the e-mail interview, it is impossible for the researcher to be sure that all the research participants were truthful in their responses. However, the researcher felt more confident in knowing that all of the research participants gave detailed accounts of their cyber stalking victimisation experiences. These accounts were lengthy, comprehensive and clearly reflective of personal experiences. The researcher did not receive an information overload as expected in section 1.9. Conversely, the researcher had to constantly remind the research participants to return the completed e-mail interviews. Additionally, the researcher had to endure the slow response rate from the research participants as it took four months to receive all 12 of the completed e-mail interviews. The most significant disadvantage of an online data collection method is the absence of non-verbal clues. The researcher could not receive any non-verbal clues from the research participants due to the online interaction with the research participants. Although the interview schedule was semi-structured, this structure could have also limited the research participants in that they only answered what they were asked.

In light of the aims, objectives and limitations of the study discussed above, the researcher was able to make recommendations for both prevention and intervention methods as well as future research pertaining to cyber stalking.

#### **5.4 RECOMMENDATIONS FOR INTERVENTION AND PREVENTION OF CYBER STALKING**

As stipulated by Du Plessis and Holtmann (2005:152), the diminution of victimisation can only occur as a result of increased crime prevention and intervention strategies. Crime prevention involves all the actions and efforts involved in lessening the level of crime or the perceived fear of crime (Lab, 2004: 23). Burger (2006: 13) makes a point of noting that intervention usually occurs only after a crime has been planned, attempted or committed. For this reason, in order to maximise crime prevention effectively, intervention should be promoted even before a crime is planned. These statements regarding crime prevention and intervention are reflective of the current state of cyber stalking in South Africa. The next section will discuss the identified recommendations for the intervention and prevention of cyber stalking in relation to the victims and the Criminal Justice gatekeepers – namely the SAPS and the Information Technology industry. All the recommendations are based on the research study's findings.

##### **5.4.1 Prevention and intervention recommendations for victims**

As the victims of cyber stalking have been prioritised throughout the research study, this section will be discussed extensively. The recommendations for the victims of cyber stalking have been divided into two sections, namely recommendations for the prevention of cyber stalking and recommendations for dealing with cyber stalking.

#### **5.4.1.1 Recommendations for the prevention of cyber stalking**

Schneider (2010: 4) describes crime prevention as the anticipation and recognition of a crime risk. The findings of the study and the increasing rise of Internet and cyber technology usage indicate that cyber stalking is a crime risk. Now that this crime risk has been identified, the necessary steps need to be taken in order to build awareness about it and ultimately assist in preventing it. The following prevention key areas have been identified as possible guidelines to prevent potential victims from being cyber stalked.

- **Controlling information**

A seemingly simple way, in which people can protect themselves against cyber stalkers, is by controlling their personal information to ensure that it does not become accessible to others (Bocij, 2004: 180). This seems like an easy task but as cyber technology is expanding, people are becoming more and more prone to publicise their personal business. This statement is substantiated by current affairs where people in prominent positions are increasingly getting suspended from their work positions due to inappropriate online posts (ENCA man suspended ... 2012; Gillham, 2012). The reasoning behind this is that if prominent people, who are publically known, cannot keep their personal information and views personal and private, then how much more difficult will it be for ordinary people who are not publically monitored, to achieve the same task. Although this task of controlling information is often neglected, vigilant individuals should take precautions when publishing private information online.

Many cyber technology users are often shocked to learn that a lot of information about them is freely available on the Internet. Much of the information gathered can be found by anyone with relatively little resources and time. The more active an individual is in the online realm, the more information is likely to be available (Bocij: 2004: 180). This notion rings true as all of the research participants in the study indicated that they used the Internet on a daily basis and all of them were

consequently cyber stalked. There are a variety of free services that facilitate the gathering of information about any Internet user, such as a simple Google or Facebook search. For a more advance search at a relatively cheap price, cyber stalkers can contact an online investigative site, such as International Information Agent Services (<http://www.investigator-sa.com/index.htm>). Such sites can find anything from identity numbers to contact details and home addresses. Often the information gathered about an individual allows the cyber stalker to establish a relationship with the potential victim to further monitor them.

A critical acknowledgment regarding the control of information is that, by controlling access to personal information, the danger posed by cyber stalkers is reduced (Bocij, 2004: 182). This statement is supported by the research participants as they indicated that online security measures must be adhered to and vigilantly monitored to reduce the dangers of online victimisation (vide section 4.2.5.4).

- **Communicative technology**

As established in the research study's findings, cyber stalking often begins in communicative technology sites such as through social networks. It is important to acknowledge that cyber stalkers and other online predators use these communicative platforms to locate prospective victims who are particularly vulnerable. One suggestion is that before an individual decides to join any online communicative medium, such as social networks, instant chat rooms or online groups, they should thoroughly familiarise themselves with the particular site and its security measures (Bocij, 2004: 182). This will help make individuals more aware of the possible dangers of online communicative technology and enable them to access and implement security measures to protect their online security.

Additionally, Bocij (2004: 182) advises Internet users to apply three rules to their online behaviour. First, users should behave appropriately when interacting in communicative technology. Netiquette, online etiquette, is encouraged, because in the event that an individual falls victim to cyber stalking, they are more likely to

receive support, provided that they acted and responded properly at all times. Second, users are encouraged to avoid any arguments and personal attacks within cyber space. Involvement in online conflicts may cause resentment which can manifest into cyber stalking. Finally, it is strongly emphasised that personal information should remain just that – personal. For instance, if an individual is asked where they live, it would be best to rather name a location close to them instead of their actual city or suburb. This will make it difficult for a potential cyber stalker to locate them. The following general guidelines for online interaction safety are derived from a combination of the research findings and a variety of sources which address online safety techniques (Bocij, 2004: 183; Communication technologies, nd; Miller & Morris, 2012: 88; Online privacy...nd; Small & Vorgan, 2008; Social networking...,nd;).

- *Consider using a gender neutral nickname.* This technique is safer than using a real name and makes it harder for potential cyber stalkers to access potential victims.
- *Once posted, forever online.* Be attentive when making online posts by assuming that everything posted will be permanently recorded in cyber space. Even if an account is deleted, anyone on the Internet can easily print and save the posts, such as photos, contact information or status updates made.
- *Personal information should remain personal.* The more information posted online, the more at risk an individual may become to cyber stalking.
- *Know and manage online friends.* Often communicative platforms are used to gain large numbers of friends – known and unknown to the user. There are tools on these communicative platforms which allow for the management of profiles. For instance, an Internet user can share certain information with certain friends or have multiple online pages that vary in content and magnitude.
- *Apply caution when clicking on links.* It is suggested that Internet users be very careful when clicking on links as they may contain viruses or malware.
- *Use strong passwords.* Passwords which are long, complex and alphanumeric are advisable as they are more difficult to figure out. It is always better to have a

different password for each online account occupied. Passwords should also be changed regularly.

- *Use discretion when selecting profile pictures.* Assume that people will use the information and pictures gained from profiles destructively. For instance, an already provocative picture could be further altered to humiliate and degrade the victim.
- *Consider creating an additional e-mail account.* The creation of an additional e-mail account may be beneficial, in that all the online activity and interaction in the communicative technology can be linked to this delegated account as opposed to a personal one.
- *Do not allow any site to scan an e-mail address book.* Often, on joining a social network, a request is sent out to enter the individual's e-mail address and password in order to find out if there are any contacts that are also active on the same social network. This process allows for the social network to send an e-mail to everyone ever e-mailed, informing them of the individual's participation in that specific social network.

#### ▪ **E-mail**

As the use of e-mail servers are becoming an increasingly common means of communication on both a professional and personal level, the following guidelines are specifically recommended to assist in preventing the possible occurrence of cyber stalking.

Most individuals' e-mail addresses reveal information that can be used by the cyber stalker. For instance, many people use their full name or where they live as part of their user name. This provides a cyber stalker a point of departure for finding out more information about a potential victim (Bocij, 2004: 184). A safer alternative, for e-mail users, would be to only use a first name or surname as the user name identity.

Many individuals make use of e-mail signatures when sending e-mails. An e-mail signature is an automated block of information situated at the end of an e-mail, usually indicating the sender's full name, position and contact details (Bocij, 2004: 184). A safer alternative, for e-mail users, would be to only include an e-mail signature when necessary and to known recipients. Conversely, another option would be to remove the contact details of the e-mail signature when sending e-mails to unknown recipients.

Some individuals enjoy sending chain e-mails which usually comprise a forwarded message which can take many forms such as a joke or encouraging message. These e-mails are often re-sent to multiple recipients, without hiding the original sender's e-mail address. Bocij (2004: 184) offers a simple way of preventing this, by using the blind carbon copy (BCC) when sending an e-mail to multiple recipients. When a message is sent using BCC, each recipient only sees his or her e-mail address.

In an event whereby the cyber stalker gains access into the victim's e-mail server, valuable information can be gained from going through the e-mail system. It is thus important to delete personal messages or encrypt old messages (Bocij, 2004: 184). This can be more effective if done on a regular basis.

Furthermore, it is important to remember to avoid sending rude or offensive messages, especially if an individual is not prepared to substantiate what was said online in a face-to-face interaction (Bocij, 2004: 185).

- **Guidelines for young users**

The present study's research findings indicate that younger people, especially students, are vulnerable to cyber stalking. It follows that prevention strategies aimed at the younger generation should be emphasised. In this regard, it seems as if education and awareness are a young person's best defence against cyber stalking. Additionally, younger people often feel a sense of belonging to online communities,

which may result in them spending lengthy periods of time online (Bocij, 2004: 190). The latter statement seems to be valid as all the younger research participants involved in the research study indicated spending a lot of their time online. In addition to the general guidelines already mentioned, there are a few guidelines aimed specifically at younger people.

Younger Internet users are encouraged to work securely from wireless networks. Presently, the Internet is accessible from a variety of public locations, from a coffee shop to a library. However, open networks run an increased security risk and are vulnerable to security breaches. If possible, younger people are cautioned to choose networks that have a network security key, which means information sent over them is encrypted. The best alternative is to connect to a standard or wired network that offers the best protection (Cyber safety ... 2012).

Furthermore, as indicated in the findings of the research study, intimate cyber stalking occurred among six of the research participants whose ages ranged from 19 and 22. Therefore, it seems appropriate to warn young users against becoming victim to cyber stalkers with intimate and romantic motives. Younger users are cautioned to avoid flirtation with unknown online friends. The participation in 'harmless' flirtation may give a potential cyber stalker the wrong indication of interest. This is often how perpetrators start cyber stalking a victim.

- **Guidelines for business users**

Research participants G and H both described how cyber stalking affected their professional lives. It is thus evident that business users need guidelines to protect themselves against online cyber stalking. Online marketing tools and interaction have numerous benefits and extensive advantages, making it seem like a viable option for any business promotion campaign. However, prevention of cyber stalking for business users should focus on two key roles: protecting the public from becoming victims of cyber stalking by employees through business resources and protecting the business and its staff from becoming victims of cyber stalking.

Bocij (2004: 191) suggests that business owners can control their resources by means of an Acceptable Use Policy (AUP). An AUP clearly sets out how a company's Information Communication Technology (ICT) resources can be used as well as any prohibited behaviours and practices. The AUP should also list any penalties for the misuse of business facilities. In this way, all employees know company policy and cannot claim ignorance. Also, it shows the businesses' intentions to make adequate use of resources. Additionally, business owners can implement regular software audits. This involves the regular checks of computer systems to make sure that no pornography or private software is stored. Business owners can also place controls on the use of company facilities for e-mails and web browsing in order to monitor the use of the Internet.

According to an article written by Wong (2009), online marketing boasts, among many others, the following benefits:

- *Reduced cost.* Online marketing is inexpensive, as compared to traditional marketing strategies. For instance, a business can advertise their business for free in a variety ways such as through Google local, Gumtree or even Facebook.
- *Measurability.* Online marketing allows its recipient to trace its sales impact in illustrated and detailed graphs that represent traffic growth, leads and sales conversions from the specific search marketing campaigns. Namely by using, a free traffic analysis tool like Google Analytics, it is easy to calculate your return on a marketing investment.
- *Brand engagement.* In today's technological world a website is an important marketing tool for any business. A regularly updated website with well-written content that maintains people's interest is critical to show online viewers how a business is distinctive from others in the same field.
- *Demographic targeting.* With online marketing, new demographic prediction and online advertising platforms allow business owners to target specific consumer demographics most likely to be interested in the business. In particular, targeting younger people requires an online marketing strategy that reaches them where they spend the bulk of their time – on the Internet and on social media sites.

- *Real time results.* Online marketing offers instant results and the flexible nature of the online realm allows a business owner to change or refine their marketing strategy based on the results retrieved.
- *Product exposure.* Presently, there is more than one way to implement word-of-mouth campaigns when advertising a business. Through blogs and social media networks like Facebook or Twitter, business owners can re-enforce their product exposure.

Research participants G and H's professions opened the doors to their cyber stalking victimisation. As discussed above, online marketing is beneficial to any business; however it is necessary to take proper precautions when marketing a business online. Business users should not shun the use of online marketing but rather implement it in secure and safe ways. Based on the findings of the present study and in conjunction to the general guidelines discussed, individuals interested in online marketing should consider the following:

- use a specialised e-mail address to advertise the business;
- avoid giving out any personal contact details,
- avoid publicising personal and private information;
- avoid unhealthy rivalry and competition, including bad mouthing and slandering other business competitors.

#### **5.4.1.2 Recommendations for dealing with cyber stalking**

In terms of intervention, the next section should be viewed and understood in its entirety in order to gain information needed to deal with cyber stalking.

- **Identification of cyber stalking**

The first step in dealing with cyber stalking is establishing whether or not cyber stalking is actually taking place. Bocij (2004: 192) warns that an offensive e-mail or online argument does not constitute a valid case of cyber stalking. As detailed in Chapter 1 (vide section 1.2) of the present study, cyber stalking is a combination of

activities perpetrated against an individual. To determine whether or not cyber stalking is taking place, a better definition to use would be a South African based legal definition. Presently, there is no such legal definition for cyber stalking in South Africa; however there is a definition for harassment in the Protection from Harassment Act (Republic of South Africa, Protection from Harassment Act 17 of 2011). According to the Act, individuals should consider themselves a victim of harassment if the following occurs:

- Repetitive activity practised against an individual that causes fear of harm.
- Repeatedly making phone calls or inducing another person to make phone calls as well as engaging in verbal, electronic or any other communication aimed at the victim.
- Repeatedly sending letters, telegrams, packages, facsimiles, electronic mail or any other object to the victim.

Currently there are no clear specifications regarding persistency or activities involved regarding the identification of cyber stalking or harassment. Familiarisation with the nature of cyber stalking should allow for better identification of it.

- **Contacting the cyber stalker, gathering evidence and reporting cyber stalking**  
Bocij (2004: 194) maintains that the decision whether or not to contact the cyber stalker is a difficult one and needs to be carefully considered. The decision to ignore the cyber stalker may cause him to lose interest or the cyber stalker may decide to retaliate and increase the cyber stalking behaviour. Similarly, the same results can be produced if the cyber stalker is contacted, confronted and asked to stop the behaviour. This plea to stop the cyber stalking may come across as weakness which further fuels the cyber stalker's destructive behaviour.

In some situations it may be necessary for the victim to contact the cyber stalker to ask him to stop the cyber stalking behaviour. If an individual decides to do this, research suggests that this request should only be made once and subsequently all contact with the cyber stalker should cease. If the victim continues to entertain the

cyber stalker, this behaviour is not only counterproductive but also dangerous in terms of escalation of the cyber stalking behaviour. Research participants A, D and L said that they confronted their cyber stalker which stopped the cyber stalking; while research participant K said that he ignored the cyber stalker until she lost interest. It appears that contacting the cyber stalker is specific to an individual's case and choice.

As soon as an individual is convinced that cyber stalking is taking place, the next responsible step of action to do is to gather as much evidence as possible. It is suggested that all the evidence be saved on an external device such as an external hard drive or data disk. All the cyber-stalking-related communication should be saved as the cyber stalker's ISP or even identity may be traced. The victims may also make use of "screen grabber" applications to record and save cyber stalking messages (Bocij, 2004: 196).

In terms of practical ways in dealing with cyber stalking, Donovan and Bernier (2009) as well as the findings of the present study, recommend the following guidelines:

- Make use of the security options available within social networks, e-mail facilities or cell phones to block the cyber stalkers. Also, increase cyber security measures on any online forums.
- After increasing online security measures, efforts should be made to search for the victim's name on the Internet via major search engines such as Google or Yahoo. The victim may want to check how much personal information is available to the public and consider deleting this information. Ensure that the search includes the full name in quotation marks, as this will give search engine results for the name provided in its entirety as well as condense the results. If an individual does not use quotation marks around the full name, it is likely that the results will include the first name and last name somewhere in an article or blog, but not together. For example, searching for Peter Mahlangu (without quotes) could result in an article where Peter Mafadi and Thembi Mahlangu are mentioned together.

- Find a supportive personal safety network of friends, family, and resources. An individual dealing with cyber stalking should always let this trusted network know of their whereabouts.
- Take security measures at home, in a vehicle and at work in conjunction with the cyber safety measures. An individual dealing with cyber stalking should memorise emergency numbers and keep them on speed dial. Additionally, the victim should keep their cell phone charged. Furthermore, do not accept private calls and block the cyber stalker's number.
- A victim of cyber stalking should consider notifying his or her Internet service provider of the cyber stalking to seek counsel on what to do. They may take action depending on their internal policies.
- A victim of cyber stalking should make sure that the cyber stalker has no opportunity to download any programs that aid in monitoring their online activity. Be aware of spyware as it allows the cyber stalker to monitor their victim's computer activity.
- If the victim finds a website that is focused on harassing the specific individual, it may intensify the cyber stalking case. Furthermore, becoming familiar with search engines such as [www.whois.net](http://www.whois.net) can be useful in determining the owner of any malicious website.
- If possible, the victim should create a new email account or an additional email account using a free web-based email site. Avoid providing detailed information in this new profile.
- If the cyber stalking persists and intensifies, seek information on obtaining a stalking order or interdict against the cyber stalker.

As discussed in Chapter 2 of the present study (vide section 2.6), South Africa provides extensive legislation when dealing with cyber stalking. It is recommended that if cyber stalking continues to persist and intensify; victims of cyber stalking should take the legislative information to the SAPS with the evidence accumulated against the cyber stalker and report the crime. If the initial contact to the SAPS is unsuccessful, it may be more viable to repeat the complaint to a senior officer or write a letter to a senior official

of SAPS. Alternatively, or additionally, the cyber stalking victim should seek legal counsel.

#### **5.4.1.3 Recommendations for victim-support and assistance groups**

As mentioned in Chapter 4 (vide section 4.2.3.9), victim support and assistance with regards to cyber stalking should be orientated online. Due to the online nature of cyber stalking, victim support and assistance groups should be facilitated and practised in a similar manner. Online support groups should be created by means of web sites, blogs, or on platforms within social networks. These support groups should be informative and interactive, whereby victims of cyber stalking can receive information and share their personal experiences. In essence, such groups will function as empowering support structures which not only provide victims with knowledge but also act as a form of catharsis – where the victim can release emotional tension through describing their experiences (Barlow & Durand, 2009: 157). Internationally there are several such online services:

- Working to Halt Online Abuse (WHOA)  
<http://www.haltabuse.org>
- CyberAngels  
<http://www.cyberangels.com>
- WiredPatrol  
<http://www.wiredpatrol.org>
- Web Police  
<http://www.intergov.org>
- Network for Surviving Stalking  
<http://www.nss.org.uk>

Unfortunately, South Africa does not have such online services. Although the above services are relatively useful, it is important to have a specialised online victim-support group specific to the context of South Africa. This need is imperative as South Africa

has unique legislation and cultural norms and values specific to its country and its people. On completion of this dissertation, the researcher will endeavour to create a South African based cyber stalking website that is informative and interactive, based on the findings of the present study and targeted at victims of cyber stalking.

#### **5.4.2 Recommendations for SAPS and the Information Technology (IT) industry**

The SAPS and IT industry have important roles to play regarding the prevention and intervention of cyber stalking. Recommendations for these role players, based on the findings of the present study, will be briefly discussed respectively.

As experienced by research participant E, reporting her cyber stalking victimisation to the SAPS, was a futile task. This could be due to the contemporary nature of cyber stalking as well as the limited knowledge about it by role players in the Criminal Justice System (CJS). The SAPS should be made aware and educated on the nature and implications of online victimisation, specifically regarding cyber stalking. This can be done through various training and workshops facilitated by IT experts as well as experts in the field of cyber stalking. The SAPS should recognise and accept that the world is continuously developing in skill and sophistication; therefore they should be properly equipped to deal with cyber technology and its consequences.

IT specialists should seek to develop new and innovative ways to increase the traceability of online predators. Additionally, IT experts should make the necessary efforts to launch awareness programmes aimed at the various criminal justice role players as well as local communities to better equip them with knowledge and know-how regarding IT vigilance.

Through these recommendations, victims and potential victims of cyber stalking can better protect themselves. A recurrent theme throughout the above section is that knowledge is power and once the abovementioned parties recognise this and accept the seriousness of the phenomenon, steps can be taken to counter-act the occurrence

and practice of cyber stalking in South Africa. Furthermore, more knowledge and expertise is vital in the fight against cyber stalking which can only be achieved through conducting similar scientific research.

## **5.5 RECOMMENDATIONS FOR FUTURE RESEARCH**

The following recommendations were identified, based on the present study's literature review and findings, as possible future research topics:

- An explorative study on cyber stalking towards the development of legal definitions, targeted at South African policy.
- A legal comparative study between stalking and cyber stalking. The research focus should be on the legislative matter concerning stalking and cyber stalking within a national and international framework.
- An investigation into the *modus operandi* of the cyber stalker. Interviews should be conducted with self-confessed cyber stalkers to gain insight into their behaviours.
- A quantitative exploration of cyber stalking in South Africa. This study will be able to determine the statistical occurrence of cyber stalking in South Africa.
- An exploration into possible techniques, guidelines and support assistance available in the prevention and intervention of cyber stalking victimisation.
- An exploration of cyber bullying in South African schools. A qualitative study exploring the reality and dangers of cyber bullying in the school environment.
- A comparative study between cyber bullying and cyber stalking. The study can comprise of an extensive literature review comparing the two phenomena with the assistance of experts on the subject matter.
- An exploration into an in-depth analysis of Internet addiction. The study should be qualitative, in nature, to gain a holistic understanding of this new age phenomenon.
- A global quantitative study on Internet addiction. The study should seek to measure and compare Internet addiction across the globe.

## 5.6 VALUE OF STUDY

It is the researcher's firm belief that this study will make a contribution regarding knowledge production in the field of contemporary criminology and cyber crime. The study has indicated that there is a dearth of knowledge pertaining to cyber stalking, especially in the South African context. This study's achieved aims and objectives are important to note as they explored the occurrence, nature and impact of cyber stalking as well as examined the protective measures available as a means of facilitating related legislation. These aims and objectives alone contribute to knowledge production, as scientific research concerning cyber stalking in South Africa, was limited to non-existent. The study provides insight on this modern-day phenomenon for victims of cyber stalking, CJS role players and scholars interested in the field.

The study also pays a lot of attention to prevention and intervention strategies needed to combat cyber stalking from a South African perspective. These prevention and intervention strategies are beneficial as they focus on a proactive stance against cyber stalking yet still cater for a reactive approach when dealing with cyber stalking. Proactive campaigns are emphasised by means of building awareness and of cyber stalking and its potential dangers.

The study's findings will also form the basis of the foundation of a victim-support engagement strategy in terms of a cyber stalking website, previously discussed in section 5.4.1.3.

The study made use of contemporary strategies while implementing traditional methodology. The study incorporated a cyber theme, thus used cyber technology such as online snowballing and e-mail interviewing during the data collection phase. This implementation of cyber technology in the research process, can serve as an example to future scholars, who are interested in using traditional methodology in unconventional ways.

In today's contemporary world, technology is improving and evolving on a daily basis. More and more people are familiarising themselves with cyber reality and its functions. According to South Africa Online (2012), 4.59 million people in South Africa have access to the Internet – the majority of them being between the ages of 18 and 29. The Internet is fast-growing and will always be accompanied by a dark side if its dangerous potential is not recognised and addressed. Cyber stalking is still a relatively new phenomenon; however its existence relies on the existence of cyber technology. Therefore, if cyber technology continues to evolve in sophistication, it can be assumed that so too will cyber stalking.

The researcher is of the opinion that the value of the study will only reach its full potential once more research is conducted in the field of cyber stalking in South Africa.

## **5.7 CONCLUSION**

Cyber stalking is a complex phenomenon which is a dangerous and harmful consequence of modern society's participation and interaction with cyber technology and the Internet. It is the responsibility of all South African Internet users to protect themselves against cyber stalking as well as to know how to deal with it if it does occur. This can only be achieved through awareness and educational campaigns aimed at informing the cyber community of cyber stalking. These campaigns can be accomplished by using the Internet as a medium to reach the target market of Internet users. It is the researcher's desire that this study stimulates further research on cyber stalking, in order to ultimately eradicate it.

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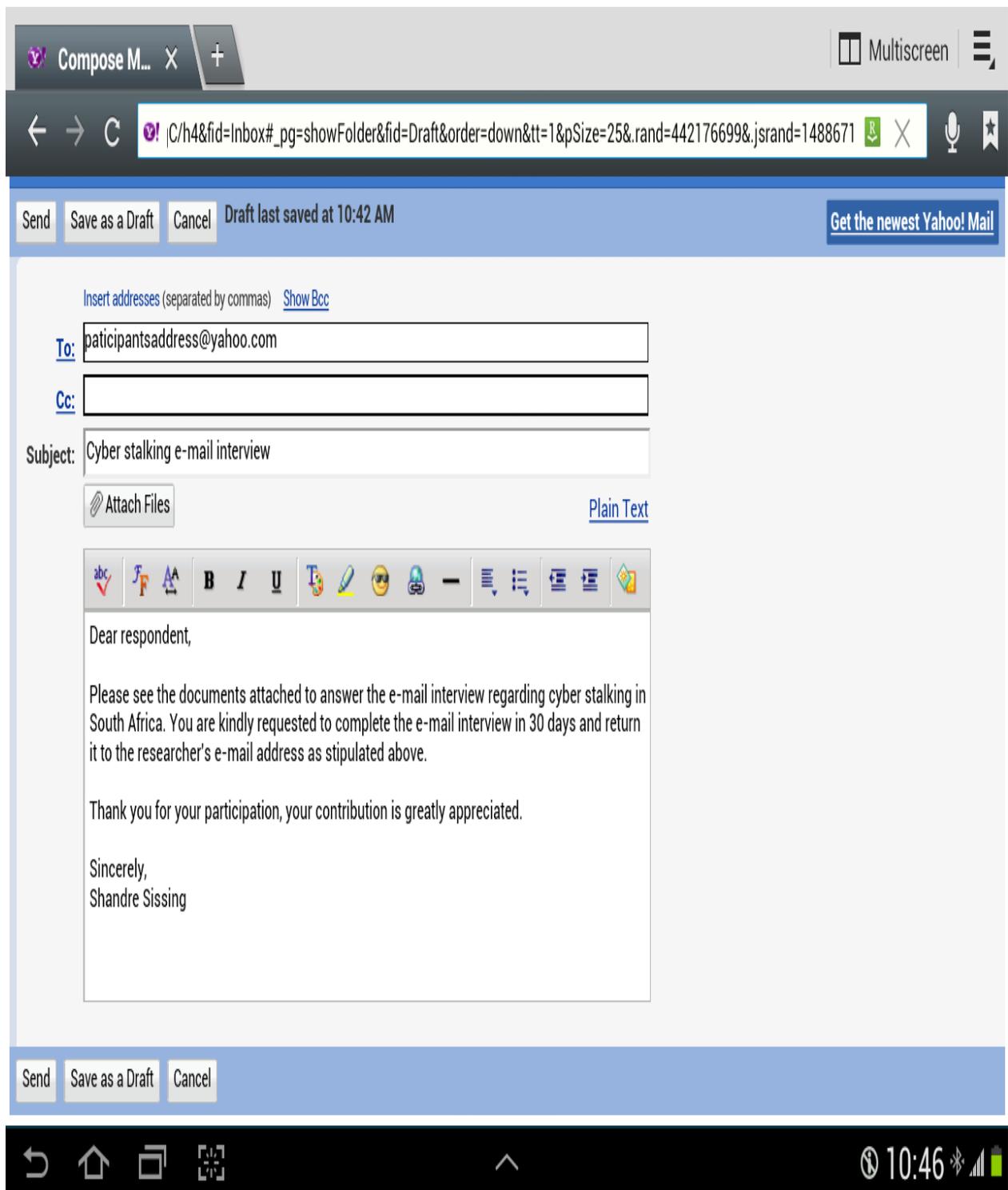
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APPENDIX A



Compose M... X + Multiscreen

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Send Save as a Draft Cancel Draft last saved at 10:42 AM Get the newest Yahoo! Mail

Insert addresses (separated by commas) Show Bcc

To: participantsaddress@yahoo.com

Cc:

Subject: Cyber stalking e-mail interview

Attach Files Plain Text

Dear respondent,

Please see the documents attached to answer the e-mail interview regarding cyber stalking in South Africa. You are kindly requested to complete the e-mail interview in 30 days and return it to the researcher's e-mail address as stipulated above.

Thank you for your participation, your contribution is greatly appreciated.

Sincerely,  
Shandre Sissing

Send Save as a Draft Cancel

10:46



## APPENDIX B

Department of Criminology and Security Sciences

012 429 4714; cyberstalkingstudy@yahoo.com

Dear research respondent

### ***A criminological exploration of cyber stalking in South Africa.***

Researcher: Shandré Sissing

Thank you for your involvement in this research study. It is regarded as ethical practice to retrieve informed consent from a research respondent prior to the commencement of a research imitative. Informed consent involves the following:

- 1. Purpose of the study.** The present study is being undertaken for the fulfillment of a Master's Degree in Criminology at the University of South Africa. The purpose of the research is to explore cyber stalking in South Africa from a Criminological perspective.
- 2. Procedures.** A semi-structured e-mail interview will be used in order to gain valuable information from the participants. The e-mail interview will be self-administered by each respondent; however, the researcher is available to answer any questions, relating to the study, posed by the respondent via e-mail. The researcher may ask the respondents follow-up questions. The e-mail interview will take approximately 20 minutes to complete.
- 3. Risks and discomfort.** There are no predetermined risks associated with this study although the research participant may feel some distress or discomfort when recalling hurtful events.
- 4. Benefits.** There are no tangible benefits or inducements available to the respondents of this study. It can be suggested that the personal expression of one's victimisation can be seen as a benefit of participation as well as the unique contribution to knowledge production.
- 5. Respondent's rights.** Respondents are free to withdraw from the study at any stage of the research provided a courtesy e-mail notification of withdrawal is sent to the researcher. As participation is voluntarily, no negative consequences will be imposed on the respondent and all data received from the respondent will be assumed void.



6. **Confidentiality.** All information will be regarded as personal and confidential. The researcher will not disclose respondents' names or contact details for any reasons.
7. **Ethical considerations.** The study was ethically constructed.
8. **Questions and concerns.** The researcher welcomes any questions or concerns pertaining to the e-mail interview or research study. Questions and concerns should be directed to the researcher at the above-mentioned contact details.

I understand my rights as a research respondent and voluntarily give my consent to participate.

Please provide your initials and surname:

<b>Research respondent:</b>	<b>Date:</b>
<b>Researcher: S.K Sissing</b>	<b>Date:</b>



## APPENDIX C

Due to the limited information available on cyber stalking the following e-mail interview has been designed to generate new knowledge while enriching existing knowledge regarding the phenomenon. The focus of the study is Criminological in nature. Please feel free to elaborate on any of the answers to the questions to ensure that your voice will be heard and accurately documented. Kindly note that your participation is voluntary and the information provided will remain confidential as names will not be published.

The researcher sincerely thanks you for your time and willingness to take part in this study and acknowledges your input in the progress of her Masters studies.

Thank you for completing this e-mail interview. The researcher looks forward to documenting the information you provided in order to promote awareness and growth in the criminal phenomenon of cyber stalking. It is vital to recognise your role in the prevention and resolution of cyber stalking. Please do your best to complete the e-mail interview as the information you provide may assist in preventing what happened to you happen to somebody else.

**Shandré Sissing**  
**Research Assistant, Masters (Criminology) Student**  
**Department of Criminology: Centre for Criminological Science**  
Tel: 012 429 4714

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university  
of south africa

**PLEASE COMPLETE THE FOLLOWING IN THE OPEN GAPS PROVIDED:**

**1. CONSENT FORM**

(a) I understand that my participation is voluntary and confidential and that I am free to withdraw at any time.

(b) All the information I provide is truthful and honest.

(c) I agree to take part in the study.

**2. DEMOGRAPHIC INFORMATION**

(a) Age

(b) Gender

(c) Race

(d) Occupation (at the time of the cyber harassment)

**3. GENERAL USE OF COMMUNICATION THROUGH TECHNOLOGY**

(a) Which technological devices do you use to access the internet from?

(b) How often do you use the internet?

(c) What do you use the internet for?

**4. PERSONAL EXPERIENCE OF CYBER HARASSMENT**

(a) Do you consider that you have experienced some form of harassment through electronic communication (cyber harassment)?

(b) How many unrelated, separate campaigns of cyber harassment have you experienced?

(c) In which electronic environments have you experienced harassment (e.g.



	sms, e-mail, phone calls, facebook, twitter, myspace, mxit etc)?
(d)	Did you know your cyber stalker? Please provide details of your relationship, if any, with your cyber stalker.
(e)	What could be the possible reasons for the cyber harassment?
(f)	During the cyber harassment, which of the harassing behaviour did you fear?
(g)	During the harassing behaviour, which behaviour that you feared actually occurred?



(h)	Which methods did you employ to stop the cyber harassment?
(i)	Which additional methods do you think you could have employed to prevent the cyber harassment?
(j)	Are there any actions that you feel would have protected you better if they were available to you?
(k)	Who did you receive support and assistance from in order to help you with your situation?



**5. THE EFFECTS OF CYBER HARASSMENT**

Have you experienced any of the following changes as a result of the cyber harassing behaviour?

(a) Have you experienced any changes in your working environment? If yes, please provide details.


(b) Have you experienced any changes in your relationships? If yes, please provide details.


(c) Have you experienced any changes in your financial situation? If yes, please provide details.




(d)	Has this experience adversely affected other people in your life? If yes, please provide details.
(e)	Has the harassment resulted in a reduction in your electronic communication? Please provide details.
(f)	Have you experienced physical effects from the harassment? Please provide details.
(g)	Have you experienced psychological effects from the harassment? Please provide details.



(h)	Have you experienced emotional effects from the harassment? Please provide details.
<b>6. INTERVENTION AND PREVENTION</b>	
(a)	Did you know that there is legislation that protects victims from cyber harassment? Please provide details.
(b)	Did you report the cyber harassment to the South African Police Service (SAPS)? Please give reasons for your answer.
(c)	If you reported the cyber harassment to the SAPS, what was their reaction?
(d)	How effective do you think the law is when dealing with cyber harassment?
(e)	In your opinion, how can cyber harassment be dealt with effectively?

