Anna Babicka-Wirkus,
Łukasz Wirkus

Present-day dangers – *cyberstalking*

The virtual world – a playground or a brutal reality?

No longer than several years ago, the sample of the analysis of social dangers in Polish conditions did not take into consideration the phenomenon of stalking. The Internet was definitely not perceived as a new source of present-day dangers like cyberstalking is. The Internet today, treated by huge number of users as a basic form of social functioning, is a global civilization. The power of the Internet does not include some important aspects of broadly-understood morality and rules of living together on the groundwork of direct interpersonal relations in developed countries what has caused the emergence of new dysfunctions in the virtual world. The presented issue, in the practical and empirical reports context, may be used as a significant step in developing the conditions for a discussion do the need of introducing urgent actions in the education of young Poles in properly using the Internet. Unfortunately, the trend observed in media about developing the web in Poland focuses constantly on merely describing its availability.

For many people, the computer and the Internet are currently a standard of living without which they cannot imagine their everyday existence. They use it both in personal and professional life because they are a source of information and entertainment. As written by Dominik Batorski: the development and availability of information-communication technologies (see Figure 1) affect

lifestyles, organization models as well as they are connected with alterations in the sphere of social communication.[1]

Figure 1. Number of households equipped with a computer, Internet access and landline phone in 2003–2009.
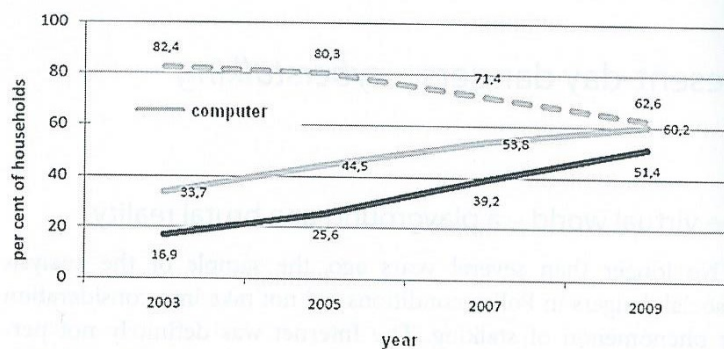
Source: D. Batorski, *Korzystanie z technologii informacyjno-komunikacyjnych*, [in:] J. Czapiński, T. Panek (ed.), *Diagnoza społeczna 2009*, 2009, www.diagnoza.com, 02.04.2010.

The above data shows that the number of Polish households with a computer is increasing. Currently, over 60 per cent of Poles have computers in their homes. The respondents (17 per cent of all households) often possess more than one computer. We should point out now that during the last two years the number of households with laptops has increased significantly (from 11 per cent in 2008 to 25 per cent in 2009)[2]. This trend is likely to continue as laptops and notebooks enable people to move without losing the possibility to use the data stored on hard drives as well as without losing the possibility to use the Internet. Currently, constant access to computers and websites is the basis of functioning in many occupations.

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[1] D. Batorski, *Korzystanie z technologii informacyjno-komunikacyjnych*, [in:] J. Czapiński, T. Panek (ed.), *Diagnoza społeczna 2009*, 2009, www.diagnoza.com, 02.04.2010.

[2] D. Batorski, *Korzystanie z technologii…*

Poles, compared to residents of other European countries, are placed in the middle strata when it comes to the number of households equipped with computers. The figure below shows the detailed data.

Figure 2. Households with at least one computer
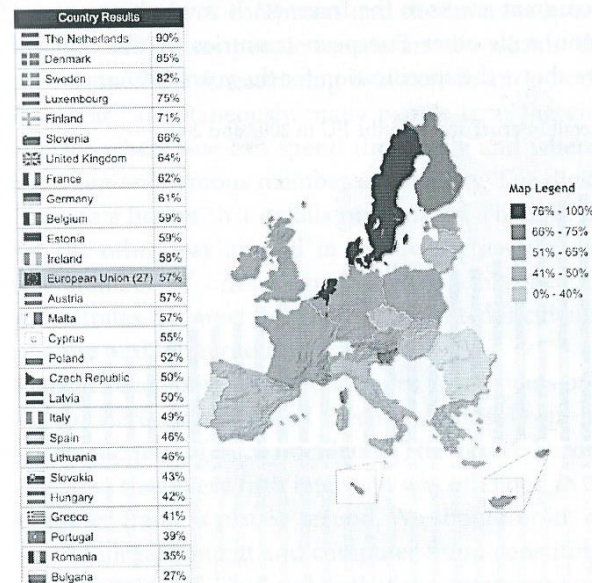
Source: *E-Communications. Household Survey*, Special Eurobarometer, June 2008, http://ec.europa.eu/information_society/policy/ecomm/doc/library/ext_studies/household_07/eb68_2infsoecomm_full.pdf, 12.11.2010

The data presented in Figure 2 shows that on average almost 60 per cent of all Europeans have at least one computer per household. Poland is placed 16th in this ranking. Compared to the Netherlands, Denmark or Sweden the Poland's rank, however, is not satisfying[3].

Nowadays, possessing only a computer is not enough. It has to be connected to the Internet in order to enable the user to participate

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[3] *E-Communicationp. Household Survey*, Special Eurobarometer, June 2008, http://ec.europa.eu/information_society/policy/ecomm/doc/library/ext_studies/household_07/eb68_2infsoecomm_full.pdf, 12.11.2010.

fully in the modern world. Janusz Czapiński's and Tadeusz Panek's *Diagnoza społeczna* shows that slightly over 51 per cent of households had access to the Internet in 2009. The report's authors emphasize, however, the fact that within four years, the number of such households has doubled. We should point out that virtually all those households had constant access to the Internet[4]. It is worth comparing Poland's position with other European countries in this context. The below figure shows the specification for the years 2007 and 2008.

Figure 3. Overall Internet access in the EU in 2007 and 2008
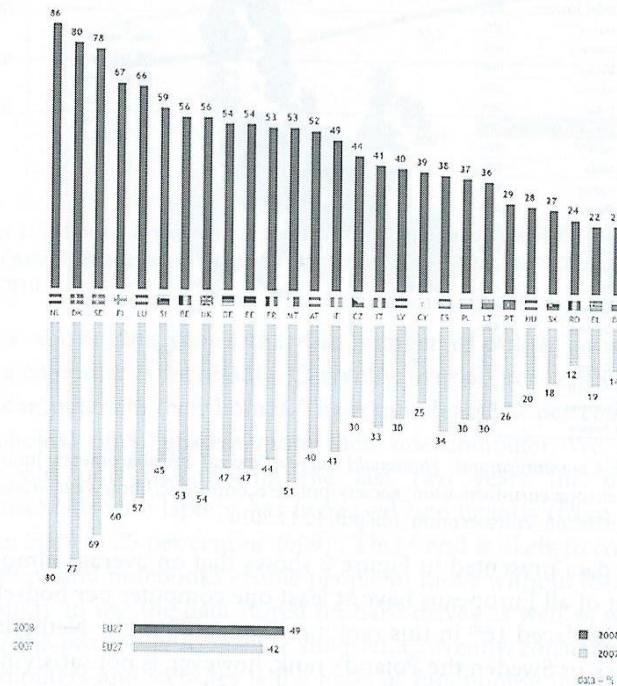
Source: E-Communications. Household Survey, Special Eurobarometer, June 2008, http://ec.europa.eu/information_society/policy/ecomm/doc/library/ext_studies/household_07/eb68_2infsoecomm_full.pdf, 12.11.2010

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[4] D. Batorski, *Korzystanie z technologii...*

Comparing Polish and European studies show certain discrepancies which most probably result from different samples. However, even the studies conducted within the scope of Eurobarometer show an increasing trend in the per cent of the households having access to the Internet[5].

The growing role of computers and the Internet in an individual's everyday life causes people to exist in two worlds: the real and the virtual one. The line existing between them is becoming less and less clear. Simultaneously, many people treat the virtual world as the place where one can spend time airily and where one plays the role of an anonymous member of a society. The digital world is perceived as a fiction that entails no dangers. Though, things often happen the other way around in this reality as is revealed in the growing number of crimes committed via Internet[6]. The figure below illustrates the most frequently committed incidents in Poland with the use of the Internet.

The data cited above shows that types of incidents occurring the most often were offensive and illegal contents. Over 1/3 of Poles have been victims of such incidents. The research conducted by CBOS[7] shows that every fifth internaut was offended in 2009[8].

Computer fraud is placed second. We should point out that offensive and illegal content and computer fraud constitute about 2/3 of all noted incidents. This means that the computer and the Internet are tools which can be dangerous for the user if not used with a proper caution. However, when asked what dangers they see in the Internet, almost 2/5 of the respondents answer that they do not see any[9]. Such idea of the virtual world is worrying, though, it may

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[5] Por. *E-Communicationp. Household Survey* – Wave II, Special Eurobarometer, April 2007 z *E-Communicationp. Household Survey*, Special Eurobarometer, June 2008, http://ec.europa.eu/information_society/policy/ecomm/doc/library/ext_studies/household_07/eb68_2infsoecomm_full.pdf, 12.11.2010.

[6] *Crimes Against Internet*, http://www.ojp.usdoj.gov/ovc/publications/bulletins/internet_2_2001/NCJ184931.pdf, 12.11.2010.
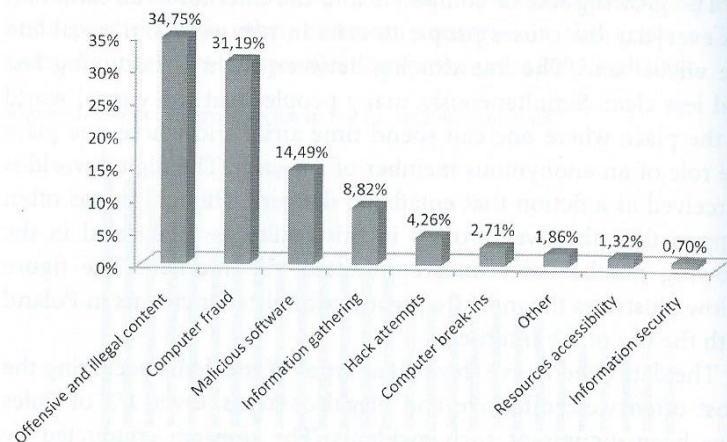
[7] CBOS means Centrum Badania Opinii Społecznych.

[8] *Jak bardzo niebezpieczny jest Internet?*, www.netochron.pl, 02.12.2010.

[9] *Jak bardzo niebezpieczny jest Internet?*

result from these people's poor knowledge about the Internet or from the fact that they have never encountered such incidents directly.

Figure 4. The most common incidents via Internet

Source: Raport 2009 CERT Polska, www.cert.pl/raporty, 11.11.2010

We should point out that the majority of victims of crimes committed on the Internet are young people and children because they often do not realize the dangers that await them on the web. The research conducted by Safety Awareness Facts Tools (SAFT) shows that most young internauts declare they are likely to provide personal data such as: age, sex, date of birth or e-mail address. Internauts are more careful when it comes to stating one's surname, giving address, telephone number or photography. However, almost 40 per cent of the respondents would state their surname without hesitation and almost 30 per cent would give their address[10].

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[10] K. Lewandowska, *Zagrożenia w Internecie – wiedza i doświadczenia dzieci i ich rodziców. wyniki badań empirycznych*, http://www.dzieckokrzywdzone.pl/bada-nia.html, 20.12.2010.

The fact that the youth aged 13–17 provide their personal information more often than younger or older people also should be mentioned[11]. This is a result of the high activity during this period of life and establishing new interpersonal contact. Some of specify are eventually brought to the real world. The SAFT research shows that 23 per cent of the respondents have met at least once in the real world with a person known from the Internet. Such behavior, alongside providing personal data, is considered to be the most risky one[12].

The examined reference books and studies show that, despite numerous campaings and preventive programs, there is still a major group of internauts who do not realize the scale of the dangers awaiting them on the Internet.

The phenomenon of cyberstalking – a legal-empirical perspective

The phenomenon of stalking emerged in the USA in the '80s. In the beginning it concerned people who would be constantly monitored by the media due to their popularity. Stars also became victims of their own fame because of their fans' obsession, they would be followed and harassed in various ways. Marilyn Pilon defines stalking as a deliberate, malicious and repeated following a person and bothering thereof[13].

D.M. Hall presents the results of an epidemiological research on stalking conducted in Europe which shows that during the hitherto life 17,3 per cent of women and 3,7 per cent of men have been the victims of stalking. As much as 94 per cent of women declared they

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[11] E. Staksrud, SAFT *Awareness survey. Methodology, results, implications and out-puts, training materials*, Luxemburg 2005, p. 9.

[12] K. Lewandowska, *Zagrożenia w Internecie – wiedza I doświadczenia dzieci I ich rodziców. wyniki badań empirycznych*, http://www.dzieckokrzywdzone.pl/bada-nia.html, 20.12.2010.

[13] M. Pilon, *Anti-stalking laws: the United States and Canadian experience. Law and government division background paper*, Publication BP-336E, Canada Communication Group Publishing Library of Parliament, Ottawa 1993.

had been stalked by men, whereas men had been stalked by both women and men. The victims are of various age groups although in most cases they are women between 26 and 46[14].

An organization which showed interest in the problem of stalking in Poland is The Italian Association of Psychology and Criminology (Associazione Italiana di Psicologia e Criminologia – AIPC) established in 2001 in Rome. Stalking *may appear in a broad range of behaviours such as obstinate telephone harassing, bothering with text messages or e-mails, observing, spying, intruding at work or home, troubling and giving or sending unwanted gifts or flowers, threatening, behaving aggressively, destroying property and various forms of acting in order to cause loss to a person who in this context becomes a victim*[15].

So far, the Polish penal code has not included any regulations concerning the penalization of such acts. Because of this, suggestions prepared by the Penal Law Codification Committee have been put forward. They are included within the following articles:

Art. 190a. § 1. Whoever persistently torments another person and causes in that person or in his next of kin justified fear or violates his privacy, shall be subject to the penalty of deprivation of liberty for up to 3 years.

§ 2. The same penalty shall be imposed on whoever maliciously takes advantage of personal data of another person with intention of causing her a material or personal damage.

§ 3. If the consequence of the act specified in sections 1 or 2 is a suicide attempt by the injured person, the perpetrator shall be subject to the penalty of deprivation of liberty for a term of between 2 and 12 years.

§ 4. The prosecution shall occur on a motion of the injured person[16].

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[14] D.M. Hall, *The victims of stalking*, [in:] J.R. Meloy (ed.), *The Psychology of Stalking: Clinical and Forensic Perspectives*, San Diego 1998, p. 113–137.

[15] http://www.stalking.it/?p=220, 23.01.2011.

[16] www.mp.gov.pl, 15.08.2010 r.

Hitherto, bullying victims are only protected under the Art. 107 of the petty offences' code which states that: "*whoever maliciously misleads or bothers another person in order to trouble her shall be subject to penalty of restricted liberty, a fine up to 1,500 PLN or a reprimand*"[17]. Stalking victims whose personal interests have been infringed in cases related to persecution may claim damages for the borne material damage from the stalking person under the art. 24 of the civil code[18].

We should point out that there is a possibility of prosecuting an offender committing an act stipulated in Art. 191a § 1, i.e. *whoever, by means of violence, unlawful threats, deceit, records an image of a nude person or person in a course of sexual activity or disseminates an image of a nude person or person in a course of sexual activity without consent of the person concerned, shall be subject to the penalty of deprivation of liberty for a term of between 3 months and 5 years*[19]. This article concerns the dangers connected with cyberstalking and the motion has to be made by the victim.

The legislator also points out the dangers connected with the possible sexual exploitation of children via telecommunications technologies, which is an important field for preventive-educational influence that, by the way of mentioning the subject of cyberstalking, is worth emphasizing. The Art. 200a of the civil code is meant here:

§ 1. Whoever, with the aim of committing an offence specified in article 197 § 3 or article 200, or producing or recording pornographic contents through the use of teleinformatic systems or telecommunications network, establishes a relationship with a minor under the age of 15 aiming to meet them – by misleading, exploiting an error

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[17] USTAWA z dnia 20 maja 1971 r. Kodeks wykroczeń, www.sap.sejm.gov.pl/Download?id=WDU19710120114&type=3, 22.09.2010.

[18] http://kodeks-cywilny.org/I-czesc-ogolna/osoby/osoby-fizyczne/zdolnosc-prawna-i-zdolnosc-do-czynnosci-prawnych, 20.01.2011.

[19] http://kodeks-karny.org/czesc-szczegolna/przestepstwa-przeciwko-wolnosci, 20.01.2011.

of judgment, or inability to properly assess situation or with the use of unlawful threat – is liable to imprisonment for a term up to 3 years.

§ 2. Whoever, with the use of teleinformatic systems or telecommunications network, makes a proposition of a sexual intercourse, or of submitting to or performing other sexual activity, or of taking part in production or recording of pornographic contents to a minor under the age of 15, with the aim of actualizing that proposition, shall be subject to a fine, penalty of restriction of liberty or penalty of deprivation of liberty for up to 2 years[20].

The cross-sectional studies on the occurrence of stalking were conducted by Justyna Skarżyńska (Associazione Italiana di Psicologia e Criminologia, Osservatorio Nazionale Stalking) in 2006 on a representative sample (N=2000, 984 men and 1016 women between 16 and 69). These studies showed that 12 per cent of the Polish population have been the victims of stalking. The analysis of the collected data showed that women have been the victims of stalking in 72 per cent of all cases. In 88 per cent of the cases of stalking there was a relation between the victim and the offender, whereas in 58,3 per cent of the cases the stalker was either the partner or the ex-partner. The average time span of persecution was about a year and a half, for 81 per cent of the victims the time span lasted from several months up to 2 years (the longest one was 8 years). 62 per cent of people who encountered stalking named some negative outcomes that influenced their life and health, cause anxiety, uneasiness, psychosomatic disorders and problems in interpersonal relationships. Only 15 per cent of the respondents stated that they informed the police about the incident of persecution[21]. The author did not collect any data concerning the procedures conducted by the police.

According to the data gathered by Osservazione Nazionale dello Stalking (National Observatory for Stalking in Italy – O.N.S. 2006), within 3 years (2003–2005) about 10 per cent of committed mur-
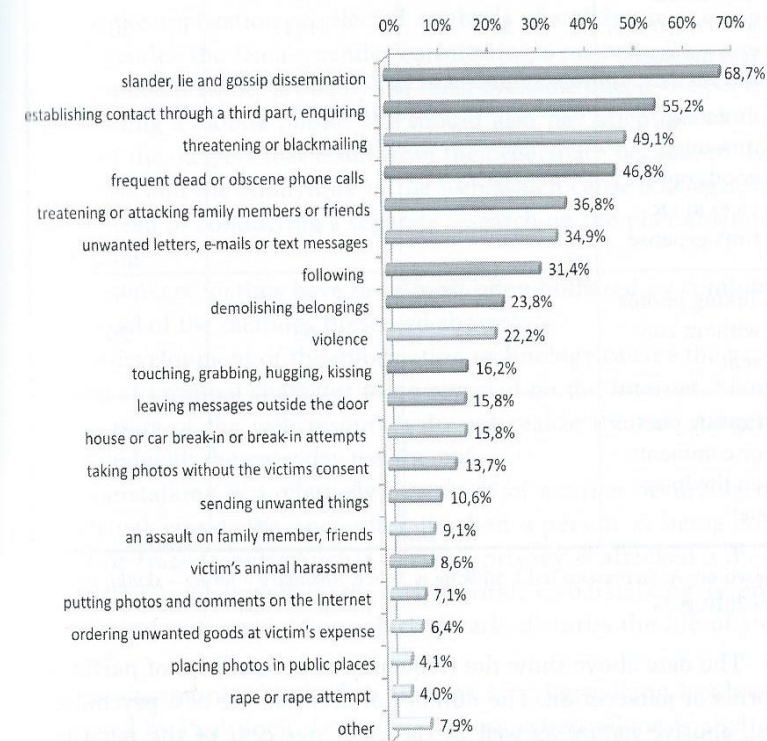
ders were preceded by acts recognized as stalking. A high repeatability and the serial-like nature of the phenomenon (in 25 per cent of cases) has been also detected[22].

The Administration of Justice conducted a study on the phenomenon of stalking in 2009 in Poland. The study was performed by TNS OBOP[23] on a representative, random sample of households.

Figure 5. Forms of persistent harassment

Form	%
slander, lie and gossip dissemination	68,7%
establishing contact through a third part, enquiring	55,2%
threatening or blackmailing	49,1%
frequent dead or obscene phone calls	46,8%
treatening or attacking family members or friends	36,8%
unwanted letters, e-mails or text messages	34,9%
following	31,4%
demolishing belongings	23,8%
violence	22,2%
touching, grabbing, hugging, kissing	16,2%
leaving messages outside the door	15,8%
house or car break-in or break-in attempts	15,8%
taking photos without the victims consent	13,7%
sending unwanted things	10,6%
an assault on family member, friends	9,1%
victim's animal harassment	8,6%
putting photos and comments on the Internet	7,1%
ordering unwanted goods at victim's expense	6,4%
placing photos in public places	4,1%
rape or rape attempt	4,0%
other	7,9%

Based on: A. Siemaszko (ed.), *Stalking w Polsce. Rozmiary – formy – skutki*, Warszawa 2010, p. 11.

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[20] http://kodeks-karny.org/czesc-szczegolna/przestepstwa-przeciwko-wolnosci.
[21] http://www.stalking.it/?p=220.

[22] http://www.stalking.it/?p=220.
[23] TNS OBOP mens Ośrodek Badania Opinii Publicznej.

Table 1. Selected forms of stalking via information technology

	In general	Men	Women
Frequent, dead, obscene phone calls	463	178	286
Unwanted letters, e-mails, text messages	346	144	202
Ordering unwanted goods or services at victim's expense	63	28	35
Taking photos without consent	135	65	70
Putting photos or comments on the Internet	70	34	36

Based on: A. Siemaszko (ed.), *Stalking w Polsce. Rozmiary – formy – skutki*, Warszawa 2010, p. 34

The data above show the frequency of occurrences of particular forms of persecution. The number of acts that are of a psychological, abusive nature as well as the clear per cent of the persistent bothering using physical abuse, touching, grabbing, assault and rape or a rape attempt is an alarming phenomenon. This gives evidence for a possible gradation of methods applied by stalkers which in a situation of no intervention may lead to drastic eventualities.

A similar interpretation may also be applied in a situation of external intervention that does not manifest through the penal prosecution agency's consistency. An identified stalker in an attempt to stop him from doing his thing may act unpredictably. It is dependent on many psychosocial conditions.

Every tenth respondent stated he or she was a victim of a persistent bothering at some point in their life, this adds up to about 3 million victims among adult Poles[24]. The study's results also showed the application of selected methods of stalking in the context of gender, the female gender constituting a majority. The most often applied method, probably the most available one, is the persecution using a mobile phone. We should also pay attention to the aspect of the dangers that result from the cyberspace because of the e-mail use and the anonymity of the web, which cause a delegation for the need of conducting a separate research on the phenomenon of stalking.

The stalkers' victims have been most often bothered by combining several of the methods presented above[25].

The development of the information technology caused the procedures of criminal character to be revealed on the Internet. Many of the users of the web resources do not realize the real dangers connected with the everyday use thereof.

Cyberstalking is a relatively new form of a crime occurring in the virtual world. We encounter it when a person is being followed or traced *online*. Such a person's privacy is attacked a their every step is observed in the cyberworld. Cyberstalking is one of such ways of persecution which greatly disturbs the life of the victim[26].

One commonly accepted definitions of cyberstalking has been suggested by Paul Bocjj. According to him, cyberstalking is a set of

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[24] A. Siemaszko (ed.), *Stalking w Polsce...*, p. 10–12.

[25] Ibidem.

[26] K. Jaishankar, V. Uma Sankary, *Cyber Stalking: A Global Menace In the Information Super Highway*, http://www.ercep.com/journal/articles/archives/volume2/v03/v02.htm, 15.03.2011.

behaviours manifested by an individual, group or organization that come down to using the information and communication technology in order to bother other people, groups or organizations. Such behaviours can be manifested through threats and false accusations, data and equipment destruction, indentity or information theft, sexual intentions imposition and other forms of aggression. On the other hand, harassment is defined as a deliberate act of causing an emotional distress in a victim[27].

Cyberstalking is a form of stalking where the stalker sends their victims unwanted messages (often of pornographic character) and other information via e-mail or chat. It is a particularly dangerous form of persecution – different to its real equivalent. Cyberstalking preserves its anonymous character and the victim may be purposefully misled as to the stalker's indentity or may never learn who really stalks them. Stalkers use social networks such as Facebook, Linked In and Twitter. Cyberstalking is very dangerous for minors because this very group is particularly put at risk because of the potentiality of the online relationship which starts from exchanging e-mails and phone conversations. If the child states their address during such conversation then the stalker is likely to try to establish a direct contact. The stalker functions according to a fixed scheme, first he gains trust and tries to establish a particular relation and then he acquires the needed personal data.

This leads to a real risk for the household because the parents are not able to monitor their child's use of the Internet permanently. Cyberstalking often happens to be a means of satisfying some deviant needs of sexual offenders. An adequate form of prevention is education and honest conversations between the parents and their children because a constant restriction of the access to the Internet is virtually impossible.

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[27] P. Bocjj, *Corporate Cyber stalking: An Invitation to Build Theory*, First Monday, volume 7, number 11, November 2002, http://firstmonday. org/ issues/ issue7_11/ bocij/index.html, 17.10.2010.

Cyberstalking is a crime in the USA and it is liable to penalty (*Federal Anti-Cyber-Stalking*). There are also special police units that deal with cybercrime and other cyber-like phenomena, e.g. cyberstalking[28]. The Polish justice administration does not specify the crime of cyberstalking in such detail in comparison to the likes of the USA or New Zealand.

There are three ways of stalking that are found in the professional literature. The types of those are presented below.

Scheme 1. Ways of cyberstalking
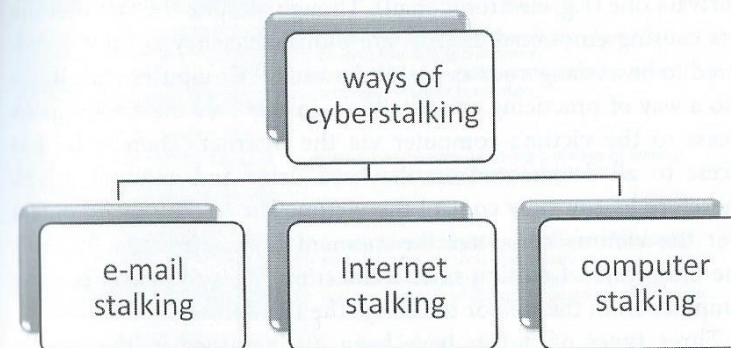
Based on: A. Thapa, R. Kumar, *Cyber Stalking: Crime and Challenge at the Cyberspace*, "International Journal of Computing and Business Research" 2011, Vol. 2. Issue 1, www.researchmanuscripts.com, 13.03.2011

E-mail stalking is one of the most popular forms of cyberstalking. It is done by the stalker by communicating with the victim via e-mail or a phone. It is a surveillance of the victim in the real world. The sent e-mails are to bother the victim. They may contain obscene, threatening or hateful content. Another method of harassment is to send the victim viruses, break into their e-mail account and send to the addresses found there messages of vari-

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[28] http://www.freelegaladvicehelp.com/criminal-lawyer/stalking/Internet-Child-Stalking.html, 07.03.2011.

ous types that the owner did not agree to. However, we should point out that sending someone the viruses itself or spam is not considered as stalking. If the frequency of such acts is high and the way of their sending indicates the will of intimidation they can be therefore diagnosed as disturbing behavior which can be categorized as stalking[29].

Another method of cyberharassment is **Internet stalking**. In this case the stalker may use the Internet in a versatile way in order to slander and put at risk his victim. Here, stalking is practiced in a public space (e.g. on chats, social networks) and not in a private one (e.g. electronic mail). Though, despite the fact that the acts causing emotional distress are punishable they are not considered to be as dangerous as physical assault[30]. **Computer stalking** is also a way of practicing cyberstalking. In this case the stalker gains access to the victim's computer via the Internet. Thereby he has access to all data stored on the hard drive and external drives. Therefore he can fully control the victim. The stalker takes control over the victim's computer the moment they access the Internet. The only ways of cutting such connection off is to disconnect the computer from the web or to change the IP address[31].

Three types of stalker have been distinguished in the professional literature. They are: an **obsessive,** dilusional and vengeful stalker. The first one is a person who does not take into consideration the fact that their relationship with some had ended. Such persons has often been emotionally abused and controlled while in various relationships. It is the most common type of a stalker[32].

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29 A. Thapa, R. Kumar, *Cyber Stalking: Crime and Challenge at the Cyberspace*, "International Journal of Computing and Business Research" 2011, Vol. 2. Issue 1, www.researchmanuscriptp.com, 13.03.2011.

30 K. Jaishankar, V. Uma Sankary, *Cyber Stalking: A Global Menace in the Information Super Highway*, http://www.ercep.com/journal/ articles/archives/volume2/v03/v02.htm, 15.03.2011.

31 A. Thapa, R. Kumar, *Cyber Stalking: Crime and Challenge at the Cyberspace...*

32 *Cyberstalker profile*, http://www.wiredsafety.org/cyberstalking_harassment/ stalker.html, 25.02.2011.

Scheme 2. Typology of cyber stalkers with mental dysfunctions

the rejected stalker	• has an intimate relationship with the victim • the victim may be a family member or close friend • views the termination of the relationship as unacceptable • the behavior is characterized by a mixture of revenge and desire for reconciliation
intimacy seeker	• attempt to bring to fruition of relationship with a person who has engaged their desired and who they may also mistakenly perceive reciprocates that affection
incompetent suitor	• tend to seek to develop relationships • fail to abide by social rules governing courtship • usually intellectually limited or socially incompetent
resentful stalker	• harass their victims with the specific intention of causing fear and apprehension • cause: a desire for retribution for some actual or supposed injury or humiliation
predatory stalker	• stalk for information gathering purposes or fantasy rehearsal in preparation for a sexual attach.
delusional stalker	• usually has a history of mental illness (may include schizophrenia or manic depression) • may live in a fantasy world composed of part reality and part delusion which s/he is unable to differentiate
erotomania stalker	• is delusional and mentally ill • believes that the victim is in love with him/her • creates an entire relationship in own's head
harasser stalker	• like to be the centre of attention • may have an attention-seeking personality disorder • repeatedly pesters anyone (especially anyone who is kind, vulnerable or inexperienced) • may exhibit symptoms of Munchausen Syndrome
love rats	• surf the web with the intention of starting relationships • may have several simultaneous relationships
trol	• goal: to be given more credibility than he deserves • plays people against each other, hurts their feelings, and wastes their time and emotional energy

Based on: A. Thapa, R. Kumar, *Cyber Stalking: Crime and Challenge at the Cyberspace*, "International Journal of Computing and Business Research", 2011, Vol. 2, Issue 1, www.researchmanuscripts.com, 13.03.2011.

A dilusional stalker is an idividual who has never had a direct contact with their victim. The relations of the stalker and the victim have existed only in the stalker's mind. The stalker may suffer from mental disorders such as schizophrenia, manic depression or erotomania. False conviction of a close relationship with the victim is common to all types of stalkers. They can think that they and the victim are destined for each other even though they may have never met. The stalker thinks that when he will show how much he loves the chosen person they will pay back with the same reaction. In this case the stalker can even murder the present partner of their imaginary beloved one[33].

Another type of a stalker is the **vengeful stalker**. It is an individual who claims that he is being persecuted and thereby takes revenge of his persecutors. The sense of being persecuted is often imaginary. The **vengeful stalker** harasses to *get even* with their *persecutor*[34].

A different typology (taking into consideration the mental health condition of stalkers) has been prepared – it can be found in A. Thap and R. Kumar's text[35]. It is presented by scheme 2.

Concluding from the typology presented in scheme 2, there have been diagnosed many different varieties of this phenomenon. Cyberstalking is extremely diverse and within its scope there are many various methods and means of intimidating and harassing the victim. It is a twenty first century stalking variation which employs varied techonologies in harassing.

While describing this phenomenon we cannot omit the fact that it is being propagated on the Internet and other media. One can read what to do in order to track their partner on numerous web pages. Mobile network operators also provide the possibility to *set a GPS* on a wanted person's number and thereby receive text messages concerning whereabouts of the person. These actions may be treated as innocent entertainment, however, they may transform

[33] A. Thapa, R. Kumar, *Cyber Stalking: Crime and Challenge at the Cyberspace…*
[34] Cyberstalker profile.
[35] A. Thapa, R. Kumar, *Cyber Stalking: Crime and Challenge at the Cyberspace…*

into an obsessive tracking and intimidating the victim. At this point we should also emphasize that following someone is breaking this person's right to privacy which is included in the article 12 of the Universal Declaration of Human Rights[36].

Characterization of cyberstalkers' victims

A study conducted by Working to Halt Online Abuse (WHOA) in 2010 shows that the most common victims of cyberstalkers are people between 18 and 30 years old. One has to emphasize here that the data mentioned below does not apply to Poland because it has not been included in the study. However, it is important to show the world's current trends in this aspect of social reality. Figure 6 shows the detailed data.

Figure 6. Age of victim

- under 18 years old
- 18-30
- 31-40
- 41+
- unknown

2%
28%
41%
29%
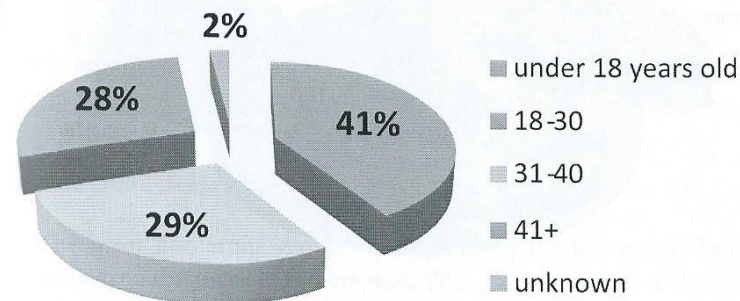
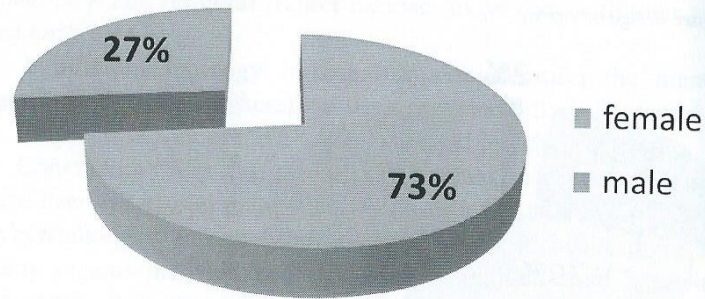Based on: *2010 Cyberstalking Statistics*, www.haltabuse.org, 12.03.2011

What follows from this data is that cyberstalkers harass adults and that the group is not uniform when it comes to age. The victims who are 31 years old and older are the biggest group of people harassed in virtual space. It can be caused by a reckless use of

[36] Powszechna Deklaracja Praw Człowieka i Obywatela, http://www.unesco.pl/fileadmin/user_upload/pdf/Powszechna_Deklaracja_Praw_Czlowieka.pdf, 09.11.2010.

a computer or a mobile phone and making one's personal data available to unauthorized people. Wanting to strike up new acquaintances can often result in these situations. People between 18 and 30 years old are also a big group of cyberstalker's victims. In this case, it is probably caused by an unconsidered putting of one's personal data on blogs, chats or social networks which are currently extremely popular, especially in this age group. Young people often add photos and movies of not only them but also their family members and their homes to their profiles. These pieces of information are very useful to a stalker.

Another important demographic aspect of cyberstalkers' victims is gender. The figure below shows this data.

Figure 7. Gender of victim

Based on: *2010 Cyberstalking Statistics*, www.haltabuse.org

The above data clearly shows that in more than 70 per cent of cases women are the victims of cyberstalkers. It is because most of the stalkers are men. Women become the object of harassment, nagging and sending messages of erotic and obscene content. Women report this type of crime more often than men.

Although men are more frequently the stalkers, the percentage of women committing this offence is also high. The study by WHOA shows that 36 per cent of stalkers are female. Mixed groups

such as gangs consitute 3 per cent of cyberstalkers[37]. Women usually stalk their ex-partners by following their actions in virtual and real world. They try to get back their lost relationship by sending e-mails and text messages of amorous, erotic and intimidating content.

Another demographic variable which the WHOA researchers took into consideration while diagnosing cyberstalkers' victims was the marital status. The figure below shows this data.

Figure 8. Marital status of victim
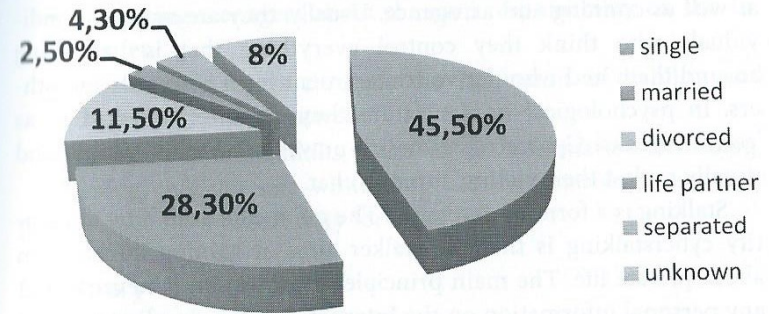
Based on: *2010 Cyberstalking Statistics*, www.haltabuse.org, 12.03.2011

The most numerous group are single people who usually look for new acquaintances in cyberspace. This group attaches a significant importance to the self-image that exists in virtual world. They often look for new acquaintances through dating services where they put their photos and personal data. All of this is conducive to tracking them in the 'Internet jungle'.

Another group which is intensively harassed by stalkers are married people. In this case, the most common reason for harassment is a stalker's unfulfilled love for one of the spouses. An imaginary love and a desire to destroy ex-partner's current relationship and occupational career are the main motives for harassment. One

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[37] *2010 Cyberstalking Statistics*, www.haltabuse.org, 12.03.2011.

has to emphasize here that as many as 43 per cent of respondents used to have contact with the stalker in the past. Ex-partners contitute the biggest group (55 per cent)[38].

Prevention

Stalkers have low self-esteem, causing other people suffering makes them change their opinion about themselves. Stalkers are often people who are psychologically unstable, have paranoid tendencies, display delusion and obsessive jealousy. They may also be characterized by a high level of egoism, malice, sadistic inclinations as well as cunning and arrogance. Usually, they are antisocial individuals who think they control everything that is happening around them and who derive contentment from manipulating others. In psychological nomenclature they are often referred to as 'control freaks'. Cyberstalkers desire power over other people and usually molest their victims through chat.

Stalking is a form of obsession. The main clue as to how to identify cyberstalking is that the stalker aims at gaining information about private life. The main principle of protection is never to put any personal information on the Internet. It is the simpliest mathod of threat prevention which makes it difficult to verify our personal data. Every user can take some simple steps to protect his/her privacy on the Internet through:

1) not specifying one's gender,
2) using neutral-gender names,
3) often change of password,
4) frequent editing of one's online profile,
5) regular reviewing one's email headers and signatures,
6) using secure chat programs,
7) using good chat networks,
8) using standard names,
9) using anonymous remailers,
10) using anonymous browsers,

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[38] *2010 Cyberstalking Statistics…*

11) using encryption to authenticate e-mail,
12) the knowledge of privacy rules on the server,
13) the knowledge of the technology used[39].

The most practical methods of protecting children against cyberstalking are:

- staying in close touch with kids as they explore the Internet,
- the help of teachers in an appropriate and safe use of the Internet,
- creating community groups among students,
- organising after-school programs concerning the Internet,
- educating teenagers about the civil responsibility on the Internet,
- preveting dangers through the indication of liability and threats for one's relatives
- self-education of adults in the field of information technolog.

Keeping children safe while they use the Internet is not only parents' job; it is a public duty for all of us[40].

Summary

In the time of dynamic changes in ICT that we have observed in Poland in the last twenty years, there has been a definite progression of phenomena of criminal character. Communication via computer (Internet), mobile phone and the electronic and software background that accompanies them may become the source of aggression from other users. Unfortunately, law alterations which should protect the society are not introduced in line with the development of cyberspace which is now the most dynamic and and profitable branch of world's economy.

The contents presented describe in detail the conditionings, empirical and practical experiences, legal aspects and prophylactic work connected with cyber stalking. The teleinformatic web is no-

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[39] http://www.safeteens101.org/cybstalker_prevention1.html, 14.12.2010.
[40] http://kidp.getnetwise.org/safetyguide/, 06.04.2011.

wadays the most important link between people all over the world. It is also groundwork for scientific development. However, one cannot forget about the threats that await users in cyberspace and about the need for constant monitoring of social life on the Internet. The introduction of educational campaigns to schools (i.e. taking the skill of a proper use of the Web into account when it comes to methodology) which, from the young person's first contact with a computer and other teleinformatic media, may effectively teach how to recognise threats and make interventions, is extremely important. One has to mention the constant sensitization of legislators on the issue of the Internet phenomena in order to alter law.

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