



# DEALING WITH HARASSING CALLS, TEXTS, AND MESSAGES

Harassment via phone calls, text messages, and other communication platforms is a very common tactic of abuse. There are a variety of ways to address this type of harassment, and it depends on what you want to do. Most survivors of domestic and family violence just want the harassment to stop, while other survivors may want the person to be charged and prosecuted. Some survivors may want to increase the security and privacy of their technology to prevent or minimise the abusive person's contact. This handout will discuss the different options that you might pursue.

## Legal Options

Depending on the method and extent of the harassment, legal redress may be available. Legal options can be civil (such as a protection order<sup>1</sup> requested by you and granted by a magistrate or judge and can restrict the abusive person from doing certain things, such as coming near you or calling you). Other legal redress can be criminal, such as an investigation by police that may result in a criminal charge and prosecution of the abusive person. You would need to talk to Police or get legal advice if you want to explore these options.

### Applying for a Protection Order

A protection order, which in some states are known as intervention orders, restraining orders or domestic violence orders, can often be tailored to your specific safety needs. For harassment, the order could instruct the abusive person to not communicate with you at all. Or, if you don't want to prohibit all communication with him (for example, you need to communicate because of shared parenting arrangements), the order could simply limit his communication with you to certain times, purposes, or methods. For example, the order could say that he can only communicate with you via text message, only for the purposes of communicating about arrangements for the children, and the messages must not be abusive.

If you already have a current order, but it doesn't contain these provisions, talk to a lawyer to see if you can have the order modified. It's important to seek legal advice for information about protection orders and about your specific situation because what gets included in the order will depend on your safety needs and the jurisdiction where you live. Legal advice can be obtained from a private lawyer, Legal Aid, a Community Legal Centre (such as a Women's Legal Service), a Family Violence Prevention Legal Service or from an Aboriginal Legal Service. Some suburban and regional court houses have duty lawyers from Legal Aid or a Community Legal Centre who attend the court house on days protection order applications are heard, and they can advise you on your options and whether you have grounds for an order.

In some States, the police may be able to issue a "Police Order" which usually can last up to 72 hours or they may be able to take out a protection order on your behalf.

### Report to the police

Another legal option is to report the harassment to the police so they can investigate to determine whether the abusive person has committed a crime, such as harassment, stalking or, based on other things that the abusive person is doing, whether another crime has been committed. Whether the police investigate is based on their assessment and the evidence they can obtain.

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<sup>1</sup> Some protection orders can be granted at the same time as criminal proceedings. Speak with a lawyer or legal advisor in your community to see how to apply for a protection order and what will work best for you.

You may be able to help police by providing documentation of the harassment. Keep in mind that this documentation is merely to show police that a possible crime has occurred. The police will need to do their own investigation.

### **Document the harassment**

Whether you seek a protection order or report it to the police, having some documentation (collecting screenshots or recording date/time/notes on the abuse) of the abuse could be helpful. You may want to document the harassment because sometimes you may be the only person to have access to it, because depending on how the harassing messages occur or the technology platform in which it took place, the messages may be deleted and not retrievable later on.

Talk to the police, a lawyer, or a domestic violence/sexual assault worker in your community to learn about what type of evidence would be most useful for whatever legal options you want to pursue. These professionals will have a more thorough understanding of local laws, local police, and court procedures.

For some survivors, documenting and keeping a record of the harassment they are experiencing may feel validating; but for some survivors it may feel traumatic or triggering. Do what feels best for you. Speak with a domestic violence or sexual assault worker if you need someone to talk to.

For more information – see our handout on documentation tips for survivors.

### **Report harassment to the technology company**

You may also want to report the harassment to the technology company. Most technology companies have policies that do not allow users to misuse their platform to harass another person. If they confirm that someone is violating their policy by harassing another person through their platform, they may remove the offending message, tell the person to stop, and, in rare cases, the person may be banned from the platform.

### **Telephone company**

If the harassment is occurring via phone calls or text messages through the telephone provider, consider reporting it to the telco.

Here in Australia, there are standards for how telcos should address unwanted communication sent through their platforms. Industry guidelines from the Communications Alliance, "[Handling of life-threatening and unwelcome communications](#)," offer suggestions on how telcos can handle harassing communication. If the company finds that an unwanted communication has occurred, they may send a warning to the person who made the unwanted call. If the person persists in making unwanted calls after a series of warnings from the telco, the telco may suspend his service.

Reporting to the phone company may be an option if the harassment isn't at the point where the police can investigate. Keep in mind that through this process, the person making the harassing calls may be informed of who made the complaint – you. If you don't want the abusive person to know details about you, this might not be the best option.

### **Social media**

If the harassing message is made through a social media or a messaging app (such as Snapchat or Facebook messenger) you can report the harassment to the social media company. How the company responds to harassment will depend on their terms of use or community guidelines; in some cases, these guidelines may be narrowly defined and the harassment may not fall under their prohibited content. If the harassment is prohibited, the company may remove the offensive content and encourage you to block the harassing person. Tip: Always document the message and the profile information of the person sending or posting the messages *before* you report the message and the company removes it, as

once a social media company deletes it, it is gone forever). In rare cases, the social media may suspend the harassing person's account.

### **Strategies to manage harassing messages and calls**

Experiencing harassing calls and messages can be very difficult emotionally. It may feel as though the person is always there, you can't get away, and the only solution is to disengage from all technology so he can't contact you. While you can't make the other person stop harassing you, there may be some things that you can do to alleviate the constant bombardment of harassment.

#### **Block the abusive person from contacting you**

One of the strategies can be to block the abusive person from contacting you. You can block someone on your smartphone, through the telephone company, or on the social media platform. Blocking works differently depending on the technology platform or smartphone device, so it's important to test it so you know what to expect. Test the blocking feature with someone you trust to see how it works.

Keep in mind that there are limitations to blocking. When you block someone, you are blocking their ability to contact you via a particular phone number or social media account. They can still contact you on a different phone number or a social media account.

#### *On smartphones*

Depending on the type of phone you have, you can block the other person in your phone settings to prevent them from contacting you. Generally, once blocked, any calls or text messages from the blocked phone number will not come through. However, blocking is going to be different on each phone, for example, the device may block incoming calls but not text messages or the blocked person may still be able to leave a voicemail but you won't get a notification. If you're not sure how to block on your phone, Google "how to block a number on [make and model of your phone]" and if possible, test blocking to see how it works on your phone.

#### *Through the telephone company*

Another way to block someone from being able to call or message you is by contacting the telephone company and blocking a specific number there. Contact your phone company and ask how you can block a phone number from ringing you.

#### *On social media*

If the abusive person is harassing you via a messaging or social media app, you can block that person through the social media or messaging app. Each social media has its own blocking feature and processes, so if you are unsure of how to block someone, Google "How to block someone from on [the specific social media]" for instructions. Most social media have instructions in their help centre.

In general, most social media will not inform the other person that they have been blocked. However, the abusive person may realise that he is being blocked when he is unable to see your social media content or message you.

Not everyone wants to stop all contact with the harassing person. You may want to continue to have contact with the other person because you want to continue to collect evidence of the harassment. Or knowing what he's saying or doing helps you determine whether his behaviour will escalate. In some cases, you may need to stay in contact to communicate about the children or other issues.

#### *Use a specific ringtone for the abusive person*

If you still need to stay in contact, but every time the phone rings it feels upsetting, one option is to use a specific ring tone for the abusive person. This way, when other people are calling, your phone will ring as normal. But when the abusive person calls, the special ringtone will alert you, and you can decide whether to answer it or silence your phone and ignore it.

### *Let the call go to voicemail*

One common strategy is to let the calls go to voicemail. This lets you collect evidence of harassment, but you don't have to talk to the other person. Using this strategy along with giving the person his own ringtone will let you know whether to pick up the call or let it go to voicemail.

### *Get a second phone*

Another strategy is to get a second phone. You can use one phone for the abusive person to contact you and another phone for everything else. This way, you're not cutting off all contact, but you can have a safer phone that you can use and you're not constantly bombarded with messages from the abusive person.

### *Forward calls from a specific phone number*

Some telcos have a feature that lets you forward calls from a specific number to another phone number. You can forward all calls and messages from the abusive person to another number, which means that even if he dials your number, your phone doesn't ring and you don't get the harassing text messages.

### *Get a new phone number or social media account*

In some cases, you may decide to just get a new phone number or social media account. This option is best if you want to cut off all ties and want no communication with the abusive person, and you don't think the abusive person will learn about the new phone number or social media account. This solution isn't for everyone because it may be a lot of work to change your number or create a new social media account.

Another limitation to this option is that depending on your situation, it may be fairly easy for the abusive person to learn about your new number – particularly if you have friends or family members who share your new number with him – or he has access to your accounts (such as email) or services (such as your doctor) where you updated your new number.

### *Make your number private*

If you need to ring the abusive person (or someone who may tell him about your new number) but don't want them to know about the new number, consider making your number silent so it doesn't appear on the receiver's caller number display (also known as caller ID). The receiver will see "Private Number" or "Caller ID Not Available" on their phone when you ring.

One option is to ask your telco if they have the ability to make your number "silent", so when you make a call, your phone number is masked. If you don't want your number to be masked all the time, another option is to do it on a call-by-call basis. Each telephone company has its own code that you enter before you dial the number you are calling. Because each telephone carrier has its own code, contact your telephone provider for their silent number code. For example, if you use Telstra mobile, the per-call, silent number code is: #31#, which you would dial before you enter the phone number you are calling. And finally, the last option is through your phone's settings, you may also be able to make your number private.

Read this article for [more information on Caller Number Displays](#).

Read this article for [more information on Telstra's Silent Line](#).