

## The Inadequacy of Existing Legal Remedies Against Stalking: A Proposed Philippine Anti-Stalking Statute

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This Article won Third Best Thesis of Class '96. The Author observes that there is no Philippine statute which punishes stalking as a distinct offense. Civil remedies, according to her, are rather vague and inaccessible. There are also no procedural rules by which stalking can be restrained by the courts. The Author anchors his thesis on the rights to privacy, peace of mind, security of person and reputation. He maintains that the government is under an obligation to provide victims with a remedy against stalking. The Author used United States statutes as models for defining and penalizing the crime of stalking. Among others, the proposed statute will cover specific intent element, notice requirement, subjective and objective causal elements of substantial emotional distress, and of course, a definition of stalking which will include the simple and aggravated forms. The Article maintains that such a statute will serve to fill in gaps in existing statutes and recognize that the intentional infliction of substantial emotional distress upon another is criminal and actionable.