

Analysis: People impacted by family violence and sexual violence

Date: March 2022

Purpose

During May and June 2021, the Joint Venture engaged with people across Aotearoa New Zealand to inform [Te Aorerekura – the National Strategy to Eliminate Family Violence and Sexual Violence](#). A key part of this engagement was the feedback sought from people impacted by violence. This paper reflects the experience of people impacted by violence with the family violence and sexual violence systems and the opportunities for improving how Aotearoa New Zealand work to prevent, respond, heal and recover from these forms of violence. Communities, organisations and individuals were generous in sharing their experiences, and through their insight government agencies have worked to develop a 25-year Strategy designed to achieve the moemoeā, or vision: All people in Aotearoa New Zealand are thriving: their wellbeing is enhanced and sustained because they are safe and supported to live their lives free from family violence and sexual violence.

This paper sets out themes that came out of written submissions, online surveys and conversations with people impacted by violence and specialist frontline advocates and workers who sit alongside, and support people impacted by violence. This paper uses, as much as possible, the words and voices of the people who shared their pūrākau (stories) and whakaaro (thoughts).

Our engagement process with people impacted by violence

A key consideration for engagement on the National Strategy was hearing from those impacted by violence in safe ways, to ensure their views, experiences and recommendations could be reflected in the Strategy.

To achieve this, advice was sought from the following key stakeholders:

- The Backbone Collective, an independent registered charity who gather information about the system response from women who have experienced violence and abuse to support the system to continually improve.
- Family violence and sexual violence national bodies¹ who have member NGOs who provide specialist services and programmes for people impacted by violence.

¹ Te Kupenga Whakaoti Mahi Patunga-National Network of FV Services (Te Kupenga), Te Ohaakii a Hine-National Network Ending Sexual Violence Together (TOAH-NNEST), National Collective of Independent Women's Refuges (NCIWRs) and Male Survivors Aotearoa (MSA).



- The Department of Corrections (Corrections) to reach their social workers and programme facilitators in women's prisons.

After consulting with a small group of victims and survivors about how to make engagement on the National Strategy safe, accessible and meaningful, The Backbone Collective recommended offering an independent survey for women impacted by violence. They advised that victims and survivors feel safer and more able to give their feedback via an independent survey managed and implemented by a specialist victim advocacy non-government organisations (NGO) rather than through the other online feedback channels government had made available. To enable this, The Backbone Collective developed and released a survey for women impacted by violence, aged 16 and over. The survey ran from 17 May to 30 June 2021, captured the ethnicity of participants and asked questions to gather women's feedback on the development of the National Strategy and Action Plan. The survey received 264 valid responses, of which 50 were from wāhine Māori. The feedback received from wāhine Māori can be found in the [tangata whenua analysis paper](#).

Online submissions were also received from people impacted by violence via the submissions email and the Ministry of Justice Citizen Space survey.

In considering the safest face-to-face ways to hear from people impacted by violence, the JV approached family violence and sexual violence national bodies interested in supporting the engagement process. The JV holds relationships with their member NGOs whose specialist practitioners work with and support people impacted by violence throughout the country. Online hui were set up with their members to discuss them undertaking, when appropriate, sessions with the people and groups they support. These practitioners are equipped to manage any safety or trauma issues that may arise, and regularly work in environments that provide safe spaces for people impacted by violence.

The JV also engaged with Corrections to reach women in prison and a Corrections official agreed to provide the relevant support and information to the practitioners in the three women's prisons in Aotearoa New Zealand.

To support the engagement sessions with people impacted by violence an information sheet was developed for the practitioners to use if needed. The information sheet provided a summary of the purpose of engagement, a process for gathering feedback, some demographic information to capture, and five questions they could ask. The JV also gave practitioners a handout for those who might not want to participate in a session, but that would provide them with links to the submissions email address and the survey itself.

What we know about people impacted by family violence and sexual violence

People impacted by violence cross a range of diverse groups and communities. Disabled people, LGBTQIA+ communities, older people, children and young people experience high levels of violence, and violence against wāhine Māori and other women of colour is higher

than for their Pākehā counterparts. Many adult male survivors of abuse were abused as children with one in seven boys experiencing some form of sexual abuse by the time they reach 16 years old. However, there is limited research available to paint a full picture of the nature and extent of violence for these groups.

The latest New Zealand Crime and Victims Survey² and evidence from the Family Violence Death Review Committee reports³ show that women are more likely than men to be impacted by intimate partner violence:

- Over 12 months (2017/18), almost 168,000 sexual assault incidents occurred in Aotearoa New Zealand. Women made up 80% of the victims of the assaults, meaning women are almost four times more likely to be sexually assaulted. Two out of three victims of assault (66%) were aged between 15 and 29 years old and four out of five offences (79%) were perceived as driven by cultural discrimination⁴
- Over a lifetime, 563,000 people have experienced some form of intimate partner violence in Aotearoa New Zealand. Women are twice as likely as men to experience intimate partner violence, and wāhine Māori are more likely than any other ethnicity to experience intimate partner violence in their lifetime⁵
- Between 2009 and 2018, there were 125 intimate partner deaths in Aotearoa New Zealand. Of those, 76% of the offenders were men and 70% of those killed were women (65% of these women were in the process of separating from or had separated from their partner).⁶

People impacted by violence - needs and issues

An over-riding message from people impacted by violence was that the current response to family violence and sexual violence is not working. Victims and survivors, children and young people do not feel protected and are often placed at further risk when they reach out for help due to the way the system responds to them.

People impacted by violence said the Justice system (Police, courts and lawyers) does not work to protect them or their children. Their experiences and/or the risks they face are often not believed, and at every step in the process they have to work extremely hard to prove that violence has happened to them.

² Ministry of Justice. 2021. *New Zealand Crime and Victims Survey. Key findings. Cycle 3. October 2019 – November 2020.* Retrieved from: <https://www.justice.govt.nz/assets/Documents/Publications/NZCVS-Cycle3-A5-20210611-v1.0-fin.pdf>

³ FVDRC Family Violence Death Review Committee. Health Quality & Safety Commission, Wellington:

- 2014. Fourth Annual Report: January 2013 to December 2013

- 2016. Fifth Annual Report: January 2014 to December 2015

- 2020. Sixth report | Te Pūrongo tuaono. Men who use violence | Ngā tāne ka whakamahi i te whakarekereke.

⁴ Ministry of Justice. 2021. *New Zealand Crime and Victims Survey. Key findings. Cycle 3. October 2019 – November 2020.* <https://www.justice.govt.nz/assets/Documents/Publications/NZCVS-SexualViolence.pdf>

⁵ Ministry of Justice. 2021. *New Zealand Crime and Victims Survey. Key findings. Cycle 3. October 2019 – November 2020.* <https://www.justice.govt.nz/assets/Documents/Publications/NZCVS-Lifetime-SV-IVP.pdf>

⁶ FVDRC Family Violence Death Review Committee. 2020. Sixth report | Te Pūrongo tuaono. Men who use violence | Ngā tāne ka whakamahi i te whakarekereke, Health Quality & Safety Commission, Wellington.

In particular, people impacted by violence raised the following concerns about the Family Court:

- They said responses often resulted in long and unsafe processes, and their children being forced into care and contact with the abusive parent. They often felt threatened by professionals when they raised safety concerns for their children. These responses from professionals revictimise and further abuse the people they should be supporting and protecting. Many victims and survivors regretted speaking out and seeking support
- They said the Family Court is also used by ex-partners and current partners of victims as a tool to further abuse, either in the form of financial abuse or litigation abuse by using Care of Children Act applications, Protection Orders or Relationship Property proceedings.

People impacted by violence provided feedback on Police responses including:

- The time it takes for Police to respond. Some people talked about waiting hours for Police to arrive following a 111 call
- They talked about Police not believing them and lacking an understanding of the dynamics of power and control, leading to some victims being identified as the primary aggressor
- Many said the Police were not following up on breaches of Protection Orders.

People impacted by violence also talked about the criminal courts failing them and their children. They felt the criminal courts were not responsive to the safety of victims and survivors and did not effectively and consistently hold people who use violence accountable. Often judges and lawyers minimised the violence and their experiences and the court process caused them further trauma and distress.

People impacted by violence – services and support

People impacted by violence said specialist family violence and sexual violence wraparound services are needed to support victims and survivors, children and young people through all steps of their journey. Services should include support to navigate the system and advocacy to support safety within government agencies including the Family Court, Oranga Tamariki, Work and Income, and Police.

Where therapeutic or support services exist, the process to access them is often complicated, prescriptive and involves long waiting lists (for example, ACC sensitive claims counselling).

“Services are under-resourced with huge wait lists.”

“I needed therapeutic support, but when I tried the ACC website, it was so complicated I gave up.”

There is limited specialist trauma- and violence-informed therapy available for people impacted by family violence and sexual violence.

There is no support available to address a range of needs, including practical or financial support (food, housing, clothing), or support for people to recover and rebuild their lives.

There need to be more services and support for tangata whenua, Pacific peoples, LGBTQIA+ communities, disabled people, older people, children and young people, and ethnic communities.

Legal advice needs to be accessible and affordable. There is a need for more comprehensive and free community law services to be made available, and all lawyers should provide detailed advice about the court process, what kinds of evidence are needed and likely outcomes.

More services and support are needed for people who use violence including longer term programmes and therapy that are culturally-appropriate, evidence-based and trauma- and violence-informed.

Emerging themes from engagement with people impacted by violence

People impacted by violence at the centre

A strong theme that emerged was the need for people impacted by violence and their children to be at the centre of the National Strategy and Action Plan:

- All responses should have safety, protection and recovery as the priority and the accountability of those who use violence as an outcome
- People impacted by violence and their children and young people should have their needs prioritised
- Many people impacted by violence talked about the importance of government working with them to help design system change, and at all points valuing their experiences and letting them provide the insights for creating safer spaces, processes and responses
- All parts of the system response, including government agencies and NGOs, should be accountable to people impacted by violence, and regular feedback should be sought to gather their views on service provision, complaints and outcomes of people impacted by violence
- There is societal ignorance about the dynamics and types of family violence and sexual violence, including psychological abuse, minimising, denying and blaming, grooming, stalking and coercive control. This results in violence becoming invisible, minimised or excused. Victims and survivors aren't believed, or they are blamed. People struggle to call it out or address the violence with those using violence, and people who could help seem unable to do so.

Justice system improvements

Many people impacted by violence believe that the Justice system response to family violence and sexual violence should be one of the most important areas of focus. They talked about improving the legal system, the courts and Police responses and processes.

They recommended that those working in the Justice system have training on family violence and sexual violence to better understand the different dynamics and types of abuse, the impact of violence and abuse on adults, children and young people, and how to respond quickly and safely and without causing further trauma.

Urgent reform and changes need to be made to the Family Court system to ensure that it responds safely to people impacted by violence and their children. Victims, survivors, children and young people should be believed, and all experiences of violence should be taken seriously.

They suggested the culture of the Family Court needs changing to one where the safety of those impacted by violence is central to any decisions and actions taken. The adversarial nature of the Family Court needs to be more focused on investigating the safety needs of victims and survivors (including children and young people) in a more compassionate and safer way.

Many people impacted by violence said that shared care of children should not be promoted or forced by the court. Some suggested supervised access be used instead, and access be supervised by trained service providers. It was recommended that the court stops using parental alienation allegations in cases involving violence and abuse. Some people impacted by violence talked about the unsuitability of the Lawyer for Child role in violence and abuse cases and made suggestions for trained assessors to be used instead. It was also recommended that the Family Court should include family violence as a consideration when making relationship property decisions.

The second most mentioned theme under the Justice sector was improving the Police response to family violence and sexual violence. Police need to respond immediately, put safety first and listen to the victim-survivor.

“There needs to be faster police responses in family violence circumstances. There seems to be a lack of urgency around family violence call outs where police often do not turn up until much later, sometimes hours. By not responding quickly we feel unprotected, not important enough, and this feels like another major misunderstanding around the seriousness of family violence situations. Family violence and sexual violence call outs need to be prioritised as urgent.”

People impacted by violence want alternative, safe venues other than Police stations, where they can report their experiences and for Police to write more detailed incident reports which can make all the difference when evidence is required in the Family Court.

It was also suggested that there be a safe way for victims and survivors to record incidents in case that information is needed in the future.

Court and Police responses and processes need to be improved to make them more sensitive to the needs of those impacted by violence, including improving the interviewing techniques Police use so they are more sensitive to trauma and better informed by the dynamics of violence.

People impacted by violence made suggestions for improving Protection Orders and Legal Aid. These included free Protection Orders that include other family members and can be granted quickly, and Legal Aid for victims and survivors should not have debt attached.

Participants talked about improving the Criminal Courts saying they need to be responsive to people impacted by violence and feel safe. This includes being safe physically, for example, not having to sit next to the abusive ex-partner or current partner in court, and psychologically – not being traumatised through the cross-examination process. They made the following suggestions:

- Keep victim and survivors updated about outcomes of proceedings as soon as possible
- Allow victims, survivors and their family members to speak in court if they wish to
- Ensure judges and lawyers are trained about sexual violence and family violence to improve responses
- Ensure lawyers understand trauma and know how to respond to people experiencing trauma
- Enable victims and survivors to give video statements rather than having to appear in court
- Prosecute breaches of Protection Orders.

Accountability

There were many suggestions made by victims and survivors focusing on the accountability of people who use violence and the importance of providing safe and effective consequences that protect those impacted from being subject to further violence and abuse:

- Many wanted to see offenders face more serious consequences and mandated rehabilitation programmes (in prison and in communities)
- They wanted information about people who use violence to be publicly available
- When safety is an issue, they wanted people who use violence to be removed from the home, rather than have victims and survivors removed
- They recommended no bail, or at least, strict bail conditions that put safety first, with no access to technology (to minimise online stalking), no home detention and consistent monitoring of abusers' behaviour and movements

- They talked about the need for effective long-term services and programmes for people who use violence, to address past trauma and support long-term sustainable behaviour change
- Many discussed the need for government and the social service sector to be accountable for how they respond to people impacted by violence. They wanted safe ways to complain and share feedback on the support and responses and for their experiences to actively be used to improve the service response across the whole system. There are currently high levels of system abuse that need to be recognised, addressed and monitored.

Workforce capability

Frontline workforces across government, NGOs and communities need to be trained how to recognise the signs of violence and abuse, and how to respond safely and effectively, first time, every time.

“Police need better training, they lack understanding around family violence and sexual violence, they revictimise through their questions and the lens through which the Police are looking at the incidences is flawed.”

Generalist government and NGOs providing services for individuals, whānau, children and young people impacted by violence should be trained to respond safely and not to cause more trauma and harm. Training should support these workforces to:

- Understand the different types and the dynamics of abuse including psychological abuse, grooming, stalking and coercive control
- Understand the different impacts abuse can have
- Understand offender patterns of behaviour, including the dynamics of minimising, denying and blaming
- Know how to respond safely every time.

It was suggested that some key workforces, such as Police, hear directly from people impacted by violence as part of their training so they can understand more about how to improve their responses.

Prevention

An important theme for people impacted by violence was the need for education in schools for all ages on healthy relationships, consent and unhealthy masculinity.

Education and awareness-raising programmes and initiatives for the general population to understand what family violence and sexual violence looks like and where to get help.

Support and information should be available for parents, carers, friends, family, neighbours, colleagues, and others in the community. to better understand how to recognise the signs and deal with disclosures and how best to support and respond.

The need to address wider issues of colonisation and patriarchy which are fundamental to the attitudes and behaviours which normalise the use of family violence and sexual violence in Aotearoa New Zealand.

The emergent issues in engagement with people impacted by violence included:

- Centre – people impacted by violence and their children should be at the centre of the National Strategy
- Justice – improve the legal system, courts and Police responses and processes
- Accountability – ensure people who use violence are accountable
- Workforce – improve workforce capability so that people can recognise the signs of violence and abuse, to respond safely and effectively
- Prevention – invest in education and awareness-raising including a focus on healthy relationships, consent and masculinity.

Bottom lines for people impacted by violence

Government systems are improved to ensure people impacted by violence are protected when they reach out for help and are supported to be safe by those they reach out to and do not experience system abuse.

Workforces are upskilled. Government and specialist and generalist NGOs and community services understand their role and responsibilities, they can listen and respond to people impacted by violence making sure they are linked to the services needed. All parts of the response system are accountable to victims and survivors.

People who use violence are held accountable and are prevented from perpetrating further abuse. Mandatory processes ensure they are supported and monitored with specialist services and support to stop their violence and achieve sustainable change.

A range of safe and easily accessible, culturally appropriate and inclusive **services and supports** are needed for people impacted by violence, children, young people and people who use violence to ensure the right support is received at the right time for as long as needed. This includes holistic wraparound specialist and practical help, safe and effective trauma and violence informed therapy and programmes, and long-term services to support recovery and wellbeing.

Prevention – preventing violence and responding early will reduce incidents of further harm. Educating children and young people and raising awareness about the gendered nature of violence, the impacts of colonisation and inequity, what family violence and sexual violence are, and the impacts of them so that together we can create a future where violence is not tolerated.