

Safer homes in New Zealand

This booklet may be helpful if:

- A partner, ex-partner, family, whānau member or someone else close to you is controlling, threatening, hurting or harming you
- You want to know if you're experiencing family violence
- You want to help someone who is being abused

Free Helpline: **0508 744 633**

Everyone is entitled to safety, dignity,
and self-determination.

www.2shine.org.nz

Family violence is not OK

Within a domestic or family relationship, it is normal to disagree and argue, and you should be able to disagree without fear for your safety. It's not OK to feel frightened or unsafe to disagree, express an opinion, or make decisions about your own life.

Nobody deserves to be insulted, humiliated, kept away from family, whānau and friends, controlled, hurt or frightened.

You have the right to live with dignity, free from violence, fear and someone else controlling your life.

We hope that this booklet will provide useful information for you about family violence, what help is available and how to access that help. This booklet focuses on intimate partner violence

in many places, but most of the information applies across other family relationships as well.

Don't be afraid to ask for help. See page 2 for information about Shine's Helpline.

If you need help explaining your fears or concerns to other family members or friends, it may help to show them this booklet. You may also want to look at our website **www.2shine.org.nz**

This booklet also provides some practical ideas about how to support people who are being abused, and how to talk to people who are abusing a partner or ex-partner.

Contents

Shine Helpline	2
National family violence helplines	3
Understanding family violence	3
What is intimate partner violence?	4
The legal definition of family violence	5
Examples of abusive behaviours	6
Layers of entrapment	9
Who experiences, and who uses, family violence?	10
In their words (people who experience family violence)	11

Responding to family violence	12
Leaving an abusive partner	13
Children	14
Parenting	15
Rainbow and Takatāpui relationships	16
Disabled people	17
The ongoing impact of colonisation on Māori	18
Religion & culture	19
Planning for safety & wellbeing	20
Are you at risk of serious injury or death?	21
Specialist support	22
Safety planning ideas	22
If you are staying with your partner	23
If you are planning to separate	24
After separation	25
Safe use of technology	27
Workplace entitlements & safety planning	28
Adult & child safety programmes	29
Counselling and therapy	29
What to expect at a women's refuge	30
Protection Orders	31
The Family Court	34
Oranga Tamariki	35
Police Safety Orders	36
Immigration – Family Violence Visa	37
Helping someone who is experiencing family violence	39
Why do some men abuse their intimate partners?	42
What about women who abuse?	43
Non-violence programmes	43
Alcohol and drugs	44
No Excuses: changing lives	45
What helps someone who's using abuse, to change?	46
What else can I do to stop family violence in NZ?	47

Shine Helpline: 0508 744 633

Free to call 24/7

If you are in immediate danger, call 111 and ask for the Police.

Ring our Helpline for free from any NZ phone for confidential support, information and professional advice. Call as many times as you need to, for as long as you need to.

Who can get help from Shine's Helpline?

We encourage anyone in Aotearoa New Zealand experiencing family violence to ring. We are here to support you no matter your age, ethnicity, culture, religion, gender, sexual orientation or personal situation.

We also encourage you to ring if you are worried about a friend, family or whānau member, neighbour, colleague or child who might be experiencing family violence. We can talk to you about how you can best support that person.

Anyone who has abused a partner or family or whānau member and wants to change can also ring our Helpline to get support, information and referrals.

If you are Deaf, hard of hearing, or speech impaired, you can ring our Helpline using the NZ Relay service.

Our Helpline has access to an interpreting service, so if you speak only limited English, please let the Helpline worker know what language you speak and we'll see if we can get an interpreter for you.

Our friendly and knowledgeable Helpline staff can:

- Just listen if that's what you need, providing support without judgment.
- Help you understand if what you are experiencing is family violence.
- Give advice on what to do if you are worried about someone else.
- Help you understand and sort through options, and come up with the best plan for you to work towards safety and wellbeing for you, and your children.
- Talk about your children, how they've been impacted, how you can best help them be safer and supported.
- Give you information about other people and services who may be able to help you, such as Court Victim Advisors, Women's Refuges, safety programmes, and other local specialist services.
- Give you information about legal options such as Protection Orders and Police Safety Orders.
- Help you overcome problems with people and organisations who should be helping you, such as Police, Work & Income, etc.

National helplines:

- **Shine Helpline:** 0508 744 633 – 24/7. www.2shine.org.nz
- **Women's Refuge Crisisline:** 0800 733 843 - 24/7.
www.womensrefuge.org.nz
- **Family Violence Information Line (Are You OK):** 0800 456 450 - 24/7.
www.areyouok.org.nz
- **Safe to Talk (sexual harm helpline):** 0800 044 334 OR text 4334 – 24/7. Online chat at www.safetotalk.nz
- **Elder Abuse Response Service:** 0800 32 668 65 OR text 5032 – 24/7.
www.superseniors.msd.govt.nz/elder-abuse
- **Age Concern (elder abuse):** 0800 652 105
- **Netsafe (online safety):** 0508 NETSAFE (638 723) or text 4282
– 8am to 8pm weekdays, 9am to 5pm weekends/holidays
- **Good Shepherd:** for support to do with economic harm 0800 466 370
Option 4 or ehservice@goodshepherd.org.nz

Understanding family violence

Family violence is a widespread and largely hidden problem in Aotearoa New Zealand. One in two NZ women experience physical or sexualised violence from an intimate partner or ex-partner in their lifetime. In 2022, NZ Police responded to a family violence callout on average every 3 minutes. About half of all NZ homicides are family violence related.

You can find more family violence statistics and information at the NZ Family Violence Clearinghouse:
www.nzfvc.org.nz

What is intimate partner violence (IPV)?

This booklet focuses on a specific form of family violence called **'intimate partner violence' or IPV**. Much of what we explain about the nature of IPV is often similar to the nature of family violence when it happens within other family relationships.

IPV is a pattern of harmful behaviours that is perpetrated by an abusive partner. Only the abusive partner is responsible for their harmful behaviour. So it makes sense to talk about an abusive partner, but it does not make sense to talk about an abusive relationship.


A pattern of harmful behaviour is likely to include **a range of controlling and coercive behaviours** that may or may not include physical violence. Coercion involves the use of force or threats to intimidate or hurt victims and make them afraid.

Someone who is trying to control their partner will use behaviours that most effectively keep their partner trapped in the relationship, especially by **targeting what is important to that person**. This behaviour is often quite subtle to start with, and becomes more obvious and more controlling over time. Controlling behaviours are used to isolate that person and make them dependent on the abusive partner.

Coercively controlling an intimate partner is not just about doing things to that person, it's also about preventing that person from doing things for themselves. **In other words, limiting their freedom and choices and their ability to make free/autonomous decisions about their own life.** And it is about **attacking that person's dignity**.

A person will experience their partner's coercive and controlling behaviour as cumulative (it adds up over time); they are not responding to individual 'incidents' of abuse.

Children are always harmed when they are part of a family or whānau where somebody is choosing to use violence. Choosing to use violence against a partner is a parenting decision. Children directly experience the violence. (See section about Children).



'Do they control you?'

'Do they intimidate you?'

'Are you afraid of them?'

The legal definition of family violence

The Family Violence Act 2018 states that family violence is a pattern of behaviour that may include different forms of physical, sexual, or psychological abuse done against someone to control or coerce them, or with the impact of controlling or coercing them, and causing cumulative harm. Family Violence may also be violence relating to the practice of dowry (gifts, goods, money, property or other benefits, given to one or more family members for a marriage) in order to coerce, control or intimidate.

The Act states that psychological abuse includes threats, intimidation or harassment, damage to property, ill-treatment of pets, financial abuse, withdrawing care of another person who needs it (by reason of age, disability, health condition, etc.) or hindering access to any aid, medication or support that affects that person's quality of life.

The Act also states that a single act may amount to abuse, or that abuse can be 'a number of acts that form part of a pattern of behaviour, even if all or any of those acts, when viewed in isolation, may appear to be minor or trivial.'

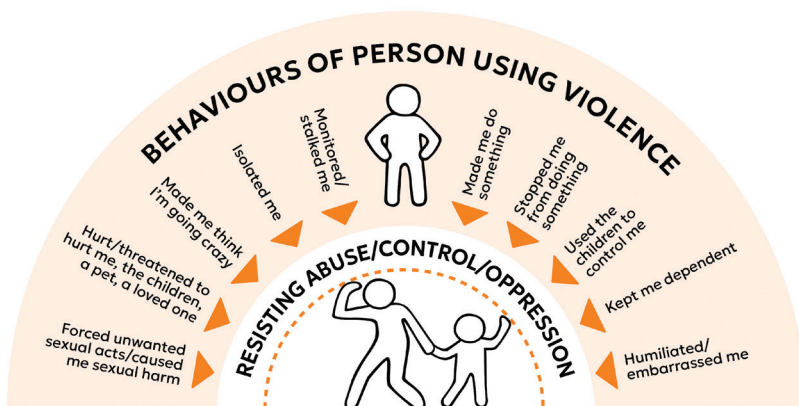
Importantly, the Act recognises the impact on children: 'a person psychologically abuses a child if that person causes or allows the child to see or hear the physical, sexual, or psychological abuse of a person with whom the child has a family relationship.' The Act clarifies that 'the person who suffers the abuse (with whom the child has a family relationship) is not regarded as having caused or allowed the child to see or hear that abuse.'

You can read the
Family Violence Act 2018 at:
www.legislation.govt.nz

Examples of abusive behaviours

The examples on these pages may help if you are still trying to understand what intimate partner violence and coercive control look like. But these are only some examples, and there are many more not listed.

Abuse is personalised to most effectively target the things or people a particular person holds dear. Something that is abusive to one person might not be to another. This is one reason why abuse is often so subtle and complex.



The concept of family violence as a form of entrapment with three layers originated from Ptacek, J., *Battered Women in the Courtroom: The Power of Judicial Responses*, Northeastern University Press, Boston, 1999. Copyright © Shine 2022

HAS SOMEONE CLOSE TO YOU:

Isolated you? E.g. withheld money or something you needed, criticised your family/whānau/friends and tried to stop you seeing them, turned your children/family/whānau/friends against you with lies or by sending emails/messages that look like they're coming from you (hacking your online accounts), threatened your friends/family/

whānau, otherwise destroyed your relationships with friends/family/whānau, took away the car keys, took away or destroyed your cell phone, got jealous when you talked to other men/women/anyone at all, stopped you doing things important to you or that you enjoy, locked you in a room, repeatedly called you at work or behaved rudely to your boss or work colleagues;

Intimidated you and made you frightened? E.g. threatened to hurt you or the children or family or whānau members or loved ones, used a weapon against you, smashed things, hurt or killed a pet, drove dangerously with you in the car, kept one child when you left home to make you return, showed extreme jealousy every time you went out or spoke to someone else, threatened to leave you with nothing if you left the relationship, threatened to out your Rainbow identity to others, threatened to take the children or commit suicide or withdraw support for your NZ visa if you try to leave, threatened to hurt or kill you if you ever bring shame to your family or community, forced you to marry someone.

Controlled your everyday life, took away your ability to be independent? E.g. came with you wherever you went so you were never alone with anyone else, made contact with you constantly to see what you're doing – by phone, text, social media messaging; monitored your emails, social media, web browsing history; or forced you to share passwords; followed or stalked you or had other family or whānau members, friends, gang members do this for them; asked the children what you've been doing, told you what to wear/not wear, how to behave/not behave, told you what and how to do everyday tasks, wouldn't give you access to

bank accounts or ownership/shared ownership of any assets, wouldn't let you get an education or a job, wouldn't let you drive or learn how to drive, wouldn't allow you to have any information about household finances or be part of any financial decision making;

Been physically violent to you? E.g. hit, kicked, used weapons, pulled your hair, strangled you or stopped you breathing somehow, pushed you or held you down forcefully, threw things at you, forced you to engage in sexual acts you didn't want to do, harmed you or your children, threatened to kill you and your children;

Taken advantage of you or used you for selfish reasons? E.g. treated you like a servant, (your male partner) refused to do housework or cook or care for children because it is 'women's work' or beneath him, made you work or sexually exploited you or made you commit crimes and took the money/profit, moved into your house, took over your belongings;

Taken away or limited your access to basic needs, humiliated or embarrassed or gaslighted you (played mind games on you to make you think you're going crazy)? E.g. made you ask permission to access basic needs like going to the toilet or buying sanitary products, put you on an allowance that was only or not enough for

food for you and the children to survive, called you names, swore at you, criticised or made you feel bad about how you look or what you wear, criticised how your parent was rude or mean to your friends/family/whānau or to you in front of your children/others, uploaded without your consent intimate photos or videos of you online, criticised your family/whānau/friends/culture/religion/religious beliefs/sexuality/

disability, shared or threatened to share things from your past with others or forced you to do something you find shameful – take drugs, commit crimes, get an abortion, perform sexual acts, etc – then threatened to tell others, denied things happened that you remember or said things happened you don't remember, drugged you, broke into your house and moved things around or vandalised your house.

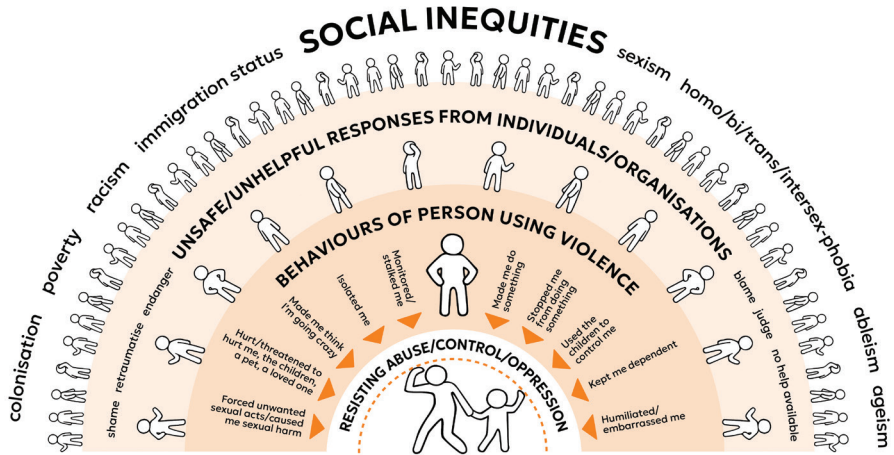
**No matter how it is done,
family violence is not OK.**



Layers of entrapment

Someone experiencing violence is trapped by the abusive behaviours and by:

- **Ineffective, unhelpful or unsafe responses from services/organisations and other people** and
- **Social inequities** e.g. colonisation, poverty, racism, immigration status, sexism, homo/bi/trans/intersex-phobia, ableism (discrimination against disabled people), ageism.



The concept of family violence as a form of entrapment with three layers originated from Ptacek, J., *Battered Women in the Courtroom: The Power of Judicial Responses*, Northeastern University Press, Boston, 1999. Copyright © Shine 2022

A person experiencing FV is entrapped not only by an abusive partner’s controlling behaviours and the cumulative effect of those behaviours over time, but also by the responses of other people, organisations, and society that ignores or compounds (adds to) the abuse.

People who experience family violence often seek help, but the person abusing them will do what they can to stop them. People and organisations may respond in ways that are unhelpful, indifferent or unsafe. These types of

responses and experiencing social inequities (poverty, racism etc.) limit people’s safety options and increase the impact of a partner’s coercive controlling behaviours.

If you are not happy with a response you get from an organisation, you can call the Shine Helpline to discuss your options or for a referral to a local specialist service. Advocates from your local service may be able to come with you to appointments, support you and help other professionals better understand your situation.

Who experiences, and who uses, family violence?

People of any gender can experience family violence. It is never OK. All people who experience violence deserve help and support to be safe, and all people who use violence should be held accountable.

Men using violence towards their female (ex)partners is statistically most common. Men's violence against women is more likely to be associated with sexual abuse, fear, physical injury, and death.

Unfortunately, our New Zealand communities still tend to give men permission to be violent and control other family or whānau members. For example, many people continue to believe family violence is a private matter, and they normalise or dismiss the behaviour by saying 'boys will be boys', or justify the behaviour by saying things like 'men are the head of the family'.

Some research concludes that, within intimate relationships, women are just as violent towards men. This research ignores the contexts and impacts of the violence. Research that takes into account whether violence is used as part of a pattern of coercive control, and whether it causes fear and injury, shows men using violence towards women to be overwhelmingly more frequent and severe.

Intimate partner violence is more common for people in Takatāpui and Rainbow communities, who may also be more likely to experience violence within their own families.

Due to inequities (poverty, racism, colonisation etc), people from marginalised groups in society experience additional barriers to receiving help and safety.

**No one deserves to be abused.
It is never OK.**

In their words (people who experience family violence)

“For years he had me believing it was my fault. He made me think I was stupid and ugly and I deserved what I got. I was scared I could never manage without him and no one would ever want me or give me a job. It took me a long time to start to believe in myself.”

“He turned everyone against me. I had no friends, no social life, no support. He got our boys to keep track of my movements and tell him what I’d been doing and who I’d talked to. I knew he’d never let me go. I waited until the boys were older to plan my escape.”

“She told me if I left she would out me to everyone – my family, my workmates, my boss. When we went to couples counselling, I told the counsellor I was feeling bullied. When we got home, she beat me up, so I just shut up after that. There was no one I could talk to until I rang Shine.”

“My mother, his mother, our counsellor and our minister all told me I should stay. They said he was trying to change and needed my support. I waited through six years of hell.”

“My flatmate called me an old poofa, and flew into a rage whenever I tried to talk to him about doing some of the cleaning. He said if I tried to kick him out, he would burn the house down with me in it.”

Responding to family violence

People resist family violence to maintain their dignity. Only the person using violence can make it stop. But understanding how you have resisted being abused can help resolve any feelings you may have of being responsible for the abuse.

Think about a time the person abusing you did something to hurt or humiliate you or limit your freedom. How did you respond? Then/in that moment and later?

You may have resisted in ways that were obvious to others - such as physically resisting, seeking legal advice or other kinds of help, or trying to leave the person using abusive behaviour.

When someone has not used forms of resistance that are obvious to others, they are often blamed for putting up with the abuse, or seen as helpless and passive. Women experiencing violence usually resist in ways that are not obvious to the person using violence or onlookers. Resisting in more subtle or hidden ways, can be part of a strategy for safety and survival.

You may have resisted in your thoughts or with actions that are subtle or hidden from the person abusing you and from others, while doing what that person wants in order to try and protect yourself or

your children. This kind of resistance can help people cope with an impossible situation.

People experiencing family violence will try different strategies to look after themselves and their children, and to survive. It's important for their support people to recognise and acknowledge how they have resisted the abuse. **When we see how people respond to and resist violence from an intimate partner, we see their knowledge, skills and their strength of spirit.**

If you are supporting someone experiencing family violence, **it may help to ask how they have responded to the abusive behaviour** and ask about what they did in the moment to try to maximise their safety and dignity, usually with very limited options. It is more helpful to ask **'After he/she did that to you, what did you do next/in response?'** instead of 'How did that make you feel?'

Never judge someone for how they did or did not resist abuse. Instead, honour their resistance in whatever form it takes.

Leaving a partner who uses violence

Leaving a partner who uses violence makes some people and their children safer. But **for many others, leaving increases danger as the person using violence increases efforts to maintain control. For some, leaving also leads to more uncertainty** for the children, loss of a home, job, financial security, cultural connection, social networks, faith community, etc. Abuse often does not end with separation.

Some leave and eventually find things get better and the struggle was worth it. Others regret leaving because their lives remain more difficult and the abuse continues for many years.

People experiencing family violence have a lot to weigh up when deciding whether to stay or leave. Because of the nature of entrapment, **people experiencing family violence rarely have the ability to leave a partner without consequences.** Key factors in deciding to leave include severity of the violence, concerns for children, the depth and history of the relationship, and social, cultural and financial resources.

It's not just the abusive partner that makes separating difficult and dangerous. For example, Family Court child care and access decisions often force adults and children into

unsafe and unwanted contact with an abusive parent for years.

Separating is not an event, it is a process, made more complicated by living together and having children, shared finances and assets, shared interests and social networks, and close relationships with members of each other's family or whānau. **During and after separating is when someone experiencing abuse and their children are most at risk of being seriously injured or killed.**

People are often judged harshly for remaining with an abusive partner. They will have reasons for staying, even when those reasons are not obvious to others, and especially when children are involved.

If you are trying to make difficult decisions about the future for you and your children, ringing a FV Helpline may provide you with support, while you make difficult decisions.

If you are supporting someone experiencing family violence, help them by providing non-judgemental compassionate support no matter what, and offering practical help so that they have more real options available.

Children

Even when children do not see or hear it, nor even live in the same home where it happens, they experience the family violence.

Exactly how children are impacted is unique to each child. Some children become withdrawn, while others seek attention. Some become aggressive, others depressed.

Children of all ages become distressed, often blame themselves for the abuse and need help to understand what is happening is not their fault.

They can feel frightened, confused, and lonely. Some children dwell on what has happened, others avoid thinking about it. They may be scared of violence happening again, of their mum or non-abusive caregiver getting hurt or killed, feel guilty they cannot protect their mum/caregiver, feel guilty that they love or miss their dad or abusive parent, or be anxious or depressed about what the future holds.

Children who were thought to be asleep during a violent episode in their home can often describe exactly what happened.

"My eyes stay awake at night" - Kate

"The bad noises come when I'm asleep." - Luca

A person using abuse is likely to escalate their violence and control with their partner when she becomes pregnant and is more vulnerable.

Babies suffer even if they are not physically hurt. **Whenever there is shouting, hitting and fear, babies, even in utero can suffer serious distress.**

Children's response to violence can vary. Parents, teachers and professionals can easily make the mistake of blaming the child for being 'difficult' or 'naughty' and make things worse for a child who needs more support, rather than punishment. Children respond to the violence just as adults do. They resist the violence in different ways and it can be helpful if you are supporting a child to understand their behaviours as resistance.

It can be very helpful for children to get specialist help after they've experienced family violence.

Specialist services such as KIDshine and child safety programmes across NZ (See section on Safety programmes) **may help children stop blaming themselves, reconnect with their non-abusive parent/caregiver and develop some age-appropriate safety strategies.**

“ I know what to do now if I'm scared, I know how to ring the Police and I know that it's not my fault.”

- KIDshine child

Parenting

Parenting is a demanding job at the best of times. If you are a parent experiencing violence, you are experiencing an attack on your ability to parent.

A partner's violence and controlling behaviours make parenting very difficult. An abusive parent may keep their partner from doing what they think is best for the children.

Abusive behaviour towards a partner/ parent is also an attack on the relationship between that parent and their children.

Family violence often stops the abused parent from being able to provide for their children's basic needs. Financial control is a common tactic and affects the wellbeing of children.

People experiencing violence, often find it difficult to talk to their children about abuse they have seen or heard, or think it's best to not talk to their children about it. Children often end up with no one to talk to and feel like they have a shameful secret.

Many mothers/ non-abusive caregivers manage living with a partner that uses abuse because they believe it's best to "stay to protect their children."

For some mothers/caregivers leaving a partner using violence leads to

greater safety and wellbeing for their children. But for many others, leaving leads to greater danger or uncertainty for children as the partner continues to stalk or harass the mother/caregiver and the children, or if they are forced by the Family Court to have contact with the parent using violence.

The Family Court often forces children into contact arrangements with the parent using violence, and often prevents the mother/caregiver from relocating to where they and their children would have greater support from extended family.

Examples of children's resistance include:

- not going to school (to stay with mum/non-abusive caregiver)
- acting out
- zoning out

See sections on Safety Programmes, the Family Court, and Oranga Tamariki.



Rainbow and Takatāpui relationships

Rates of intimate partner violence in Rainbow and Takatāpui relationships (people who are lesbian, gay, bisexual, Takatāpui, transgender, queer, and intersex, asexual or other identities - LGBTTQIA+) are similar or higher than for non-Rainbow relationships. Bisexual and transgender women face statistically higher levels of violence than heterosexual women.

Within a Rainbow relationship, there may be different behaviours used to control someone such as:

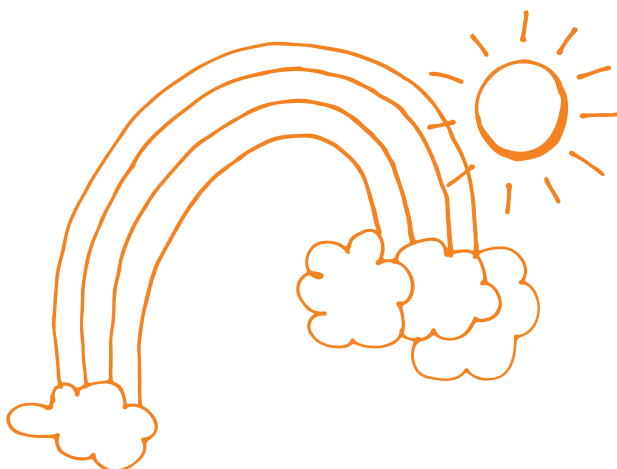
- threatening to out you to your family, whānau, workplace, etc.
- pressuring you to act straight, not to come out
- questioning or ridiculing your gender identity
- withholding hormones or gender affirming items

- threatening to use the state system's homo/bi/trans/intersex-phobia to get your children removed
- saying you're letting down your community if you talk about the abuse

People from Rainbow and Takatāpui communities face additional barriers to safety and support because many agencies and services are not responsive to their needs.

Rainbow and Takatāpui people experience higher rates of violence in their families as children and as adults due to homo/bi/trans/intersex phobia and rigid gender norms.

More information and resources at:
www.kahukura.co.nz



Disabled people

The Family Violence Act 2018 now defines family violence and a family relationship to include ‘two people with a close, personal relationship,’ which can include a caregiver or support worker for someone who has a physical or intellectual disability.

Someone who uses abusive behaviour towards a disabled person may use the range of behaviours described previously, as well as things like:

- refusal to help with personal care or toileting needs
- withholding food
- moving, destroying, or hiding medication or mobility aids, or putting them out of reach
- making fun of someone because of their disability
- telling someone that no one else will want them because they are disabled
- not allowing them any privacy
- forced sterilisation

It is harder for disabled people to separate safely from someone abusing them, especially if they rely on that person as their caregiver. Services may also be more difficult to access.

Please ring our **Free Helpline 0508 744 633** to find out what options and support is available.

You can also contact the Helpline using the Relay Service:
www.nzrelay.co.nz

Elderly people living with a disability may prefer to ring the Elder Abuse Response Service (EARS) Helpline at **0800 32 668 65**
OR text 5032 – 24/7.
www.superseniors.msd.govt.nz/elder-abuse

The Personal Advocacy and Safeguarding Adults Trust provides a range of safeguarding services and supports for Adults with care and support needs in New Zealand. PAT - The Personal Advocacy and Safeguarding Adults Trust Inc (**patrust.net.nz**)”

The ongoing impact of colonisation on Māori

“There is no historical support for claims that traditional Māori society tolerated violence and abuse towards children and women.”

– *Mason Durie*

“I saw no quarrelling while I was there [in Aotearoa New Zealand]. They [Māori] are kind to their women and children. I never observed either with a mark of violence upon them, nor did I ever see a child struck.”

– *From the letters and journals of Rev Samuel Marsden, 1765–1838*

Colonisation enforced patriarchal English laws and values, while at the same time eroding traditional Māori knowledge, social structures and practices. Before colonisation, Māori *tāne* (men) and *wahine* (women) had complementary roles and respectful relationships, and the safety and well-being of women and children were the collective responsibility of whānau, hapū and iwi. Traditional Māori practice meant that a wahine remained part of her whānau even when she went to live with her husband’s whānau.

The Victorian norms and British common law that Pākehā settlers brought with them and imposed on Māori, conflicted strongly with the existing social structure of Māori.

Under English law, the husband and father was the head of the household, women had few rights as the legal property of fathers, then of husbands.

Violence within Māori whānau seen today reflects the patriarchal norms of the British colonising culture, as well as historical and intergenerational violence from the widespread and ongoing fragmentation of Māori social structures caused and perpetuated by the ongoing colonisation of Aotearoa New Zealand.

Colonisation meant the erosion of traditional practices, the loss of cultural identity and the large scale confiscations (theft) of land. One result was the loss of many protective factors previously in place for Māori wāhine and tamariki.

Māori wāhine experiencing intimate partner violence today live with the ongoing effects of colonisation, and historical and intergenerational violence. They experience entrapment, not only by the actions of their partner, but also when they and their whānau receive dismissive, racist, or otherwise unhelpful or unsafe responses from organisations and people who could help.

Religion & culture

People sometimes think that family violence is just part of some cultures. The Bible and the Quran, Torah and other religious scriptures have been interpreted in many ways. **Men who dominate, control, and use violence towards women have historically interpreted religious texts to justify their behaviour.**

Some women may be pressured by their religious faith or cultural group to 'honour' their commitment to marriage and to stay with a husband/ spouse using violence.

Many people interpret the Bible, Quran and Torah to promote love and respect and condemn hatred and violence - especially within intimate relationships and marriage.

Religion and culture are just two of many excuses that some men use to justify abusing a partner. **Even if behaviours or practices are common within a culture, this does not mean they should continue. Cultural values and norms change over time, often as a result of grassroots movements.**

In NZ society, these kinds of movements have achieved huge shifts in societal attitudes and beliefs about all sorts of issues, such as rights and inclusion for people from the Rainbow community, smoking, wearing seat belts, etc.

Culturally specific non-violence programmes (run by that cultural group for people from that group) can be effective, because they connect participants to aspects of their culture that support healthy and respectful relationships between men and women, and address participants' misuse of their culture to excuse family violence.

Planning for safety & wellbeing

All people have needs that are much broader than physical safety, and this is no different for someone experiencing family violence.

People also need food, shelter, and other essential resources to live. Social, emotional, and spiritual needs, maintaining one's humanity and dignity, having a sense of control over one's life and stability are also necessary for wellbeing. A person's values and beliefs, including their culture and religion, will influence

their choices and are an important aspect of their wellbeing.

Because of the nature of entrapment, there is rarely a straightforward way for someone experiencing family violence to achieve safety that does not mean giving up other important aspects of wellbeing, even with emotional and practical support from other people. Sometimes a decision that is better for short term safety may be at the expense of longer term safety, and vice versa.



The concept of family violence as a form of entrapment with three layers originated from Ptacek, J., *Battered Women in the Courtroom: The Power of Judicial Responses*, Northeastern University Press, Boston, 1999. Copyright © Shine 2022

Are you at risk of serious injury or death?

If you are experiencing intimate partner violence, these questions may help you assess your risk of being seriously injured or killed by that person.

- Does your (ex) partner control all or almost all of what you do during the day?
- Does your (ex) partner follow or spy on you, leave threatening messages, destroy your property, or call/text you when you don't want them to?
- Does your (ex) partner get extremely jealous of you all the time?
- Is your (ex) partner's physical violence getting worse or happening more often?
- Has your (ex) partner threatened to kill you? Do you believe they are capable of killing you?
- Has your (ex) partner ever made you do anything sexual you didn't want to do?
- Has your (ex) partner ever tried to choke or strangle you or cut off your breathing? Have they done this more than once, or done it to make you pass out or black out or make you dizzy?
- In the last year, have you left or tried to leave your (ex) partner?
- If you are female, has your (ex) partner ever hit or physically assaulted you while you were pregnant?
- Does your (ex) partner threaten to harm your children?
- Has your (ex) partner ever threatened suicide or tried to end their own life?
- Has your (ex) partner ever used any weapon to hurt you – anything other than their hands, especially a deadly weapon (gun, knife, axe, etc)?

If you believe your (ex) partner will kill you, whether or not you answered yes to any of these questions, it is important to trust your instincts.

During and after separation from an abusive partner is when someone, and their children, is most likely to be seriously injured or killed.

Specialist support

It can be helpful to speak to specialists like Shine. Shine's Helpline is free to call from anywhere in NZ. Read about how the Helpline can help you on page 2.

Shine's Helpline will often suggest connecting you with your local specialist service.

The Shine Advocate Team provide local support in Auckland Central and North Shore. Elsewhere these services are provided by women's refuges and other community organisations. There

are also kaupapa Māori services and some services for Pasifika and Asian people.

Specialist Advocates should support you while honouring your dignity, values, beliefs, and choices while recognising/uncovering how you have resisted abuse. Advocates may be able to help you understand your level of risk and help you work toward safety and wellbeing for you and your children.

Safety planning ideas

The following pages have some ideas for you to consider in your planning – you might already be doing some of these things and you might not be able to do some of these things without support. Some of these ideas may involve a trade-off that is unacceptable or unworkable for you. Think about what will work best for you and what you feel most comfortable and confident to do. Remember that the Shine Helpline is here if you need support, to answer questions or provide referrals to local services.

If you are staying with your partner

PREPARE FOR A CRISIS

It may help to **think about what you can do to avoid serious injury for you and your children in advance of a likely attack from your partner.**

You may want to think ahead about:

- Who are your support people you can call when you need to?
- If you have to leave to save your life – it may be best to leave fast, take nothing, go to the nearest safe place and call for help. **Call 111 if**

in immediate danger and have Shine's Helpline number (0508 744 633) memorised or easy to find.

If your partner monitors your phone calls, you may want to **try to get another cell phone your partner doesn't know about.** Shine or your local family violence organisation may be able to get you a phone with a prepaid SIM.

Trust your judgement and intuition

– when the situation is very serious you may decide to do what your attacker/partner wants until things calm down, and then look for a chance to escape and get help.

If it's safe to discuss a safety plan with your children (i.e. they can understand what is safe and not safe to share with the person using violence.)

You may want to **practise your escape plan** with your children if they know about it.

SOCIAL CONNECTION, SUPPORT AND SAFETY

If you're employed, read section 'Workplace Entitlements & Safety Planning'.

You may want to **think about how you can connect with other people in ways that will help you in terms of safety and/or wellbeing**, for example:

- Through children – playgroups, involvement with the children's school, sports or other activities
- Through church or spiritual communities

- Keeping connected to friends or family who can provide support for you
- By joining a sports team or club
- Taking lessons or classes
- Getting involved in the local community.

Isolating a person is a key tactic of someone using family violence.

SAFE USE OF TECHNOLOGY WHILE IN THE RELATIONSHIP

Using technology is an important part of staying connected in today's world. For the best up to date information or help with using technology, contact Netsafe: Free call **0508 NETSAFE (638 723)**; email **help@netsafe.org.nz**; text 'Netsafe' to 4282."

Some useful information specifically about using technology safely while you're with an abusive partner is at: **www.netsafe.org.nz/abuse-and-technology/**.

If you are planning to separate

SHARING YOUR PLANS

- It will be safest to tell only very trusted friends or support workers about your plans ahead of time.
- Be careful to **tell children only what they need to know**, when they need to know it. It can be very stressful and difficult, or impossible, for children to keep a secret like this.

FINANCIAL PLANNING

If your partner starts thinking you're planning to leave, they may try to make it harder for you to access money.

Some banks may allow you to open an account without ID, if they are aware you do not have ID because you're escaping an abusive partner, and allow you some time to provide required ID.

If you're employed, you may be able to use your work address for the account, and talk to your employer about diverting a portion of your income into that account.

It's important to **talk to your bank to make sure that your contact details will be kept confidential from your partner** when you're separated, and **make sure the bank knows this is a safety issue**. Many banks now have specialist teams

to help customers experiencing financial abuse and family violence. Find out if your bank does and ask to speak to someone in that team. They may be able to help in other ways such as freezing joint accounts if you're worried about your partner increasing your debt when you separate.

If you need it, you may want to **apply for income support with Work & Income** as soon as possible after you leave.

CONSIDER APPLYING FOR A PROTECTION ORDER

A Protection Order may or may not be a good safety strategy for you. Read the section 'Protection Orders' on page 34 to 37 to learn more."

PLAN HOW AND WHEN TO SEPARATE

You may need to arrange transport in advance and know where you will go.

You may want to stay at a women's refuge with your children so you can have more safety and support for a period of time, before moving to permanent accommodation on your own. If you are applying for a Protection Order, staying at a refuge may be a good idea while the order is being served on your partner.

Ring Shine's Helpline for a referral to your local refuge and talk to them to make arrangements for moving at a time your partner is at work or otherwise away from home. Read section 'What to expect at a women's refuge.'

TENANCY

A tenant who experiences family violence during a tenancy can remove

themselves from the tenancy by giving the landlord at least 2 days' written notice without financial penalty or the need for agreement from the landlord, and with evidence (e.g. a letter from a doctor). For more information and the form to fill out www.tenancy.govt.nz/ending-a-tenancy/withdrawal-from-a-tenancy-following-family-violence/

After separation

PROTECTION ORDERS; REPORTING/RECORDING BREACHES

If you haven't already, you may want to consider applying for a Protection Order. You can apply at the same time for an Occupation or Tenancy Order to stay in your home. Protection Orders automatically cover the applicant's children under 18 years old who live regularly with the applicant, but it's usually a good idea to apply for a Parenting Order at the same time.

Protection Orders don't work for every situation. Read the section 'Protection Orders' on page 31 - 33, to learn more about what they do (and don't do), how to apply, and what you can do if your ex-partner breaches the order (does something he's not allowed to do under the order).

If you do get a Protection Order, give a copy of it to your children's school, your

workplace, or anywhere else you or your children regularly go, and talk to people about what you would like them to do if your ex-partner arrives.

CHILDREN

- **Talk to your children about what to do if your ex-partner makes contact with them unexpectedly.**
- **Teach your children how to ring Police on 111 and what to say.**
- **Tell anyone who takes care of your children** (e.g. school teacher, day-care staff, babysitter) who has permission to pick them up and who is not permitted to do so, and warn them if you think your ex-partner may try to take your children.
- **Have your children memorise your cell phone number** and numbers for one or two other trusted adults.

SECURITY AT HOME AND ELSEWHERE

- You may qualify for the **Whānau Protect programme to improve your home security and install a monitored alarm**. Talk to Shine’s Helpline or your local women’s refuge to learn more.
- If your ex-partner has ever had access to your home or your keys, you will probably want to **change your locks**. If you don’t qualify for Whānau Protect, you may also want to look at other ways to **improve your home security**, such as bolt locks, security chains, security screens, window stays, motion activated outdoor lighting, etc.
- Make sure your children know how to use any security features.
- Consider **telling your neighbours that you have separated from your partner and ask them to call the Police if they see your ex-partner near your house**.
- If you’re employed you might want to **ask your employer to help keep you safer at work**, for example, making a trespass notice against the person abusing you, providing a carpark near the entrance, or someone to escort you to or from your car, allowing flexible work hours or a change in work location, providing you with a new cell phone, etc. See section ‘Workplace entitlements and safety planning’. Download (free) DVFREE Guidelines with a workplace safety

wellbeing planning checklist at www.dvfree.org.nz/dvfree-guidelines-for-policy-procedures

LIMIT THE WAYS THE PERSON USING VIOLENCE CAN LOCATE OR CONTACT YOU:

- Contact Elections NZ on 0800 367 656 or www.elections.org.nz to **ask for your name/address to be excluded from the published electoral roll**.
- Avoid posting personal information on social media, and anything that you wish to keep private from your ex-partner. Change your phone camera settings so that the location is not stored in the image file. Read more in section ‘Safe use of technology’.
- **Talk to your children about their use of social media**. Depending on their ages and maturity level, it may be wise to restrict their access to any social media, or make sure they understand to never give out their personal details.
- If you’re employed, you might want to **ask your employer to help protect you from unwanted communication from your ex-partner** while you’re at work, for example by screening your phone calls and visitors. See section ‘Workplace safety planning and entitlements’.

RECOVER AND BUILD SUPPORT NETWORKS

- You may want to talk to Shine's Helpline for a referral to an Adult Safety Programme or Child Safety Programme, or a counsellor with a good understanding of family violence. Read later sections on 'Safety Programmes' and 'Counselling and Therapy'.
- You may need time and support to recover from violence. **Be kind and patient with yourself if you are struggling to cope**, especially if your ex-partner is continuing to threaten your safety. **If you work, you can request paid family violence leave of up to ten days annually**. See section 'Workplace entitlements and safety planning'.
- **Increase your wellbeing, and build your support networks.**

Safe use of technology

For the best up to date information, go to the Netsafe website:

- Use of technology while you're with a partner using violence: **www.netsafe.org.nz/abuse-and-technology/**
- Technology abuse after you've left a partner using violence: **www.netsafe.org.nz/preventing-technology-abuse-after-a-relationship-ends/**

If you or your children are being tracked, harassed or hacked online and need help, contact NETSAFE: Free call 0508 NETSAFE (638 723); email **help@netsafe.org.nz**; text 'Netsafe' to 4282.

SOME KEY POINTS TO CONSIDER:

- If your (ex)partner always seems to know what you're doing and where you are.
- Be aware that changing any privacy/security settings, deleting browser history, turning off location tracking, and/or blocking someone on social media may alert your (ex) partner that you know that they are monitoring you, which may escalate their abusive behaviour and their efforts to track you.
- Trust your instincts; if it doesn't seem right, it probably isn't, and is worth checking it out!

Workplace entitlements & safety planning

(if you are employed)

If you are employed and you have experienced family or domestic violence, or a child lives with you who has experienced domestic violence, then under the Domestic Violence – Victims Protection Act 2018, you are entitled to:

- Up to 10 days of paid family violence leave annually in addition to holiday, sick leave etc., to deal with the effects of family violence no matter how long ago it occurred, even if it was before your current job.
- Request short-term flexible work arrangements for up to 2 months for reasons relating to family violence, including changes to your work hours, location, or duties, or any other relevant employment terms.

Your employer may request or require ‘proof’ of the family violence before providing these entitlements, but many do not. If your employer asks for proof, they may accept a letter of support from a specialist support agency like Shine. Ring our Helpline if you need help with this.

Under the Human Rights Act, your employer is not allowed to treat you badly or unfairly because you’ve been affected by family violence.

Read more at: www.2shine.org.nz/shop/written-resources-dvds/employee-rights-brochure-domestic-violence-victims-protection-act-2018

Under the Health & Safety Act, your employer must take all “reasonably practicable steps” to eliminate risks in a workplace that could cause harm to an employee

You may consider sharing Shine's workplace safety and wellbeing planning checklist with your employer, from our DVFREE Guidelines, download free from:

www.dvfree.org.nz/dvfree-guidelines-for-policy-procedures

Adult & Child Safety Programmes

An Adult Safety Programme can help you by:

- providing a safe and supportive environment to work through your experiences
- increasing support from other services
- increasing social supports and reconnection to people and places that matter to you
- removing barriers that are preventing you and your children from living a safer life.

CHILDREN'S SAFETY PROGRAMMES

These programmes can help children:

- cope with the impacts of the violence
- understand they are not to blame for the violence
- develop age-appropriate safety strategies if children are at risk of experiencing further violence

These programmes are free, may be accessed in-person or by phone and may be group or individual programmes.

You and your children can access these programmes if:

- you're a victim of a criminal court family violence related charge
- you have a Protection Order (or you've applied for a Protection Order through the Family Court and are waiting for a decision)

You may be able to attend a safety programme if do not meet the above criteria.

Call our **Free Helpline 0508 744 633** for information about a nearby programme, or get a referral from your lawyer or court staff.

Counselling and therapy

Even highly trained and qualified counsellors and therapists often have little or no specific training in dealing safely with family violence, and sometimes actually make things worse, especially for people with ongoing safety issues. This is also the case for workplace EAP (employee assistance programmes) counsellors.

If you do decide to go to counselling, you are likely to have a better experience with a counsellor or therapist who has a good understanding of family violence. We encourage you to ring our **Free Helpline 0508 744 633** for help finding a counsellor or a safety programme (as described on this page).

What to expect at a women's refuge

Leaving home is a big decision, but it may be the only way for you and your children to be safer in the short term. If you are thinking of leaving a partner who is using violence, but you don't have a safe place to go, you may want to consider going to a women's refuge.

Refuge can offer safe, short-term accommodation for women, and their children, who are at risk from a partner using violence. At a refuge, you and your children can get some time and space to begin to recover from violence from an abusive (ex) partner.

Refuges are generally at confidential addresses. Most refuges not only offer shelter and safety, but can also help with, for example:

- Providing emergency supplies if you come into refuge with nothing - things like food, clothing, toiletries
- Supporting you with housing options
- Providing information about Work and Income benefits and support to apply

- Providing support groups or counselling and help to find a lawyer.

Most refuges are like large houses where each woman and/or children has their own private room and there are shared common areas like a kitchen and lounge.

To find out more or request a referral to a refuge, please ring our **Free Helpline 0508 744 633**.

It may be difficult for you to get into a refuge if, for example, you have an older teenage son, if you have recently used methamphetamine or if there is no availability. If this is the case, please ring our Helpline to talk through your options.

If you are a male or gender diverse, ring Shine's Helpline and we can talk to you about options that may be available to you.



Protection Orders

WHAT IS A PROTECTION ORDER AND WOULD IT HELP ME BE SAFE?

A Protection Order is made by a Family Court Judge to help protect you (the applicant), your children under 18 who regularly live with you, and anyone else named in the order from the abusive person (respondent).

The respondent must not abuse you - physically, sexually, financially or psychologically; threaten to abuse you; damage, or threaten to damage your property; or encourage anyone else to abuse or threaten you.

The 'no contact' condition of a Protection Order means that the respondent may not come near you or contact you in any way, unless specific arrangements have been made, and they cannot send someone else to contact you on their behalf.

You can have a Protection Order without a 'no contact' condition and continue to live with, or remain in contact with, the respondent. The respondent may ask you to provide something in writing to say you give permission for contact. You can tell the respondent at any time that you no longer want to live with them and the 'no contact' conditions apply immediately - that person must leave.

A Protection Order can include an **Occupation or Tenancy Order** so

that you and your children can stay in the family home, whether it's rented or owned, and the respondent has to move out immediately.

Even though a Protection Order automatically applies to any children under 18 who regularly live with you, it's often a good idea to apply for a parenting order at the same time. You may want to get advice from a lawyer about this.

A Protection Order may not help you, or the cons may outweigh the pros. These orders tend to work best when the abusive person wants to protect their public image and avoid being arrested. They may not be effective if the abusive person already has a criminal history and is not particularly worried about being arrested. They may not be effective when the abusive person can afford an expensive lawyer, has a lot of credibility as a 'good citizen,' and is able to successfully 'defend' the order (see below).

If there are children, a Protection Order may lead to a Family Court battle over custody. Unfortunately, our Family Court does not have a good record of prioritising safety of adult victims and children over the 'right' of the parent using violence to have access to or shared care of their children. You may want to ring Shine's Helpline to talk through your situation and help you decide if you want to apply for a Protection Order.

HOW DOES A PROTECTION ORDER WORK?

If the Protection Order is breached (the respondent does something not allowed like contacting you), you can report the breach to Police. If the respondent commits a crime against you, such as an assault or damage to property, they should get an additional charge for breaching the order which also makes it more likely that the sentence will be greater.

The respondent will usually be ordered by the Family Court to attend a non-violence programme as a condition of the order.

A Protection Order on its own cannot keep you safe. But it can help the Police and others treat any further violence more seriously, and it means you can contact Police as soon as the respondent comes near you, and not have to wait until you are being threatened or harmed.

Keep copies of your order:

- In a safe place at home
- At work, possibly with HR/security
- At your local Police station
- At your children's school or daycare

If you move, give a copy of your order to your new Police station, workplace, and school or daycare.

WHAT YOU CAN DO IF YOUR ORDER IS BREACHED

If your order is breached, and you're in immediate danger, ring Police on 111. Otherwise, report the breach to your local Police station, and you may also want to tell your lawyer and/or your local family violence advocate. If Police do not arrest or prosecute a breach, you can ring our **Free Helpline 0508 744 633** or local specialist service or your lawyer for help.

It's a good idea to keep a record of any/all breaches with the date, time, what happened, who else witnessed, and any evidence you may have. Having a record of all breaches could help establish a pattern of behaviour to the Police and the court if your ex-partner is arrested for a family violence related crime and/or breach of the order. Even if Police respond to a breach, it could be useful for you to keep your own record of the breach as well, including the names of responding Police officers.

HOW DO I GET A PROTECTION ORDER?

We usually recommend having a lawyer who practises family law prepare your application, a Women's Refuge Advocate or you can also do it on your own. Call our **Free Helpline 0508 744 633**, and we may be able to recommend a lawyer for you, or ask your local specialist service. If you qualify for legal aid, this will be free.

You are eligible for legal aid if you are on a benefit, have a low income, or no income. There may be waitlists to access a legal aid lawyer. A family violence specialist (e.g., Shine or Women's Refuge) may be able to refer you to a legal aid lawyer. You may also be eligible if you live with someone on a high income and you apply for the order against that person. Your Community Law Centre may be able to help (www.communitylaw.org.nz) or you can prepare the application yourself.

Download application forms at: **www.justice.govt.nz/family/family-violence/protection-order-forms**.

PROTECTION ORDER APPLICATION REQUIREMENTS

You must prove that you were in a 'family relationship' as defined under the Family Violence Act, and document the history of abuse as thoroughly as possible, with dates or approximate dates of violence occurring and as much detail as possible about the pattern of coercive control over time. Your application needs to document recent violence or otherwise prove that there is an ongoing need for protection.

HOW LONG WILL IT TAKE? CAN THE RESPONDENT STOP THE ORDER?

The Temporary Protection Order may be granted within 24 hours if a judge believes your situation is serious enough (a Without Notice Protection Order). Or it can take a few more days. If the judge does not consider it serious enough, the Respondent (the person using violence) will be notified before the Court decides whether to grant a Protection Order. Many women find that they feel even more at risk if this happens.

A Temporary Protection Order lasts for three months, during which time, the Respondent (the person using violence) can ask the Court to cancel the Temporary Protection Order. The Court will set a hearing date and at the hearing, the judge will either cancel the temporary order or make it final. If the respondent does nothing, the order becomes final after three months.

A final Protection Order is permanent, unless you or the respondent asks to have it cancelled and the judge agrees, but the judge must be sure you and any children covered by the order will be safe from the respondent.

For more information see the Community Law manual:

<https://communitylaw.org.nz/community-law-manual/chapter-15-family-violence-and-elder-abuse/what-a-protection-order-does/>

The Family Court

If you are separating from a partner and the court does not know about any risk to you or your children, **the Family Court will refer you to a Family Dispute Resolution service provider.** This service, offered by various providers, helps parties reach agreement about care of children. An impartial mediator helps parties try to reach agreement. The mediator does not have the power to make decisions or force parties to agree to anything.

If you are separating from a violent partner and you or your children are afraid of that person, we do not recommend this process. **You have the right to decide whether you want to participate or not in Family Dispute Resolution.**

Going to Court can be a long and expensive process and you may want to consider your resources and support.

The Family Court has a focus of supporting the access rights of both parents to the children. Many parents who have experienced violence from the other parent do not expect the shared care arrangements that the Family Court routinely orders.

The Backbone Collective have produced a guide called Reducing risk and harm when going to Family Court: an information guide for victim-survivors which you can read at **www.backbone.org.nz/support**.

If you are feeling pressured to participate OR if you feel your safety concerns are not being addressed by the Family Court, ring our **Free Helpline 0508 744 633** to discuss your situation.

Oranga Tamariki

Oranga Tamariki have a history of blaming the non-violent parent (most often mum) for 'failing to protect' their children from a partner's abuse. While this is not current best practice, you may still encounter these attitudes. Many Oranga Tamariki staff do not have an in-depth understanding of family violence. Without this understanding, some Oranga Tamariki social workers may pressure the non-abusive parent to leave the person who is abusing them, without understanding the risks and trade-offs for that mum in leaving.

If you are experiencing intimate partner violence and need support with Oranga Tamariki, ring Shine's Helpline 0508 744 633 or contact your local specialist organisation for support.

If you are concerned about a child who is in immediate danger, ring Police on 111.

If the child is experiencing family violence because their mother (or another member of their family) is being targeted, we recommend that you discuss the situation with Shine or another specialist domestic violence organisation for advice before contacting Oranga Tamariki.



Police Safety Orders

A Police Safety Order (PSO) is issued by Police when they believe that 'family violence' (as defined under the Family Violence Act) has occurred or may occur. A PSO can be issued for up to ten days. **Police do not need the consent of the person at risk to issue the order.**

The person bound by the order must leave the address while the PSO is in force, even if they own the property at that address and/or normally live there. That person must not assault, threaten, intimidate, harass, follow or contact in any way the protected person at home or anywhere else, or encourage anyone else to do so. That person must surrender all firearms and their firearms licence to the Police for the period of the order.

Any conditions of parenting orders or agreements permitting access or care by the bound person are suspended.

WHAT HAPPENS IF A PSO IS BREACHED?

If the bound person breaches the PSO, the Police can put that person before the Court, which may issue a warrant to arrest. The Court may then:

- release the bound person without any further order
- direct the Police to issue another PSO
- issue a Temporary Protection Order (if the person at risk does not object). The Court does not need an application from anyone to do this.

The PSO protects any children living with the protected person

Immigration – Family Violence Visa

You may be able to apply for a visa to work or live in NZ if you have come to live in NZ and you've been experiencing family violence.

A 'Victims of Family Violence **Work Visa**' can last up to six months. You cannot include dependent children in your visa application, but they can apply for visas based on their relationship to you. This visa has open work rights.

It is a requirement of the Victims of Family Violence Work Visa that:

- your partner is a New Zealand citizen

or

- You have a partnership-base visa with a temporary migrant

A 'Victims of Family Violence **Resident Visa**' lasts indefinitely and enables you to live, work and study in NZ. You can include dependent children aged 24 and under in your visa application. To be eligible for a Victims of Family Violence Resident Visa you need to have been in a partnership with a New Zealand resident or citizen.

There is no fee to apply for either of these.

For the Victims of Family Violence Work Visa application (see also [www.immigration.govt.nz/new-zealand-visas/visas/visa/victims-family-](http://www.immigration.govt.nz/new-zealand-visas/visas/visa/victims-family-violence-work-visa)

violence-work-visa) you need to provide:

- proof of your identity
- a chest x-ray and medical exam to prove good health
- a Police certificate (background check) for you from your country of citizenship and any other country where you've spent 12 months or more in the last ten years
- Proof you were in a relationship and living with a NZ citizen or resident, or temporary migrant (and on a partnership-base visa), which has ended. Proof may show: how long you were in the relationship or living together, that you shared finances and other responsibilities, that you spent time together (photos, emails, social media conversations), that other people recognised your relationship, anything else that shows you were living together in a genuine family relationship. This may be confirmation from NZ Police, a statutory declaration from you or an authorised professional (see next point)
- Proof of family violence – at least one of the following:
 - Police complaint
 - Police conviction
 - Final Protection Order
 - Statutory declaration – 1 from yourself, 2 from unrelated

authorised professionals – these may be registered social workers, doctors, nurses, psychologists, or counsellors; or they may be experienced staff members of Oranga Tamariki approved women’s refuges nominated by the National Collective of Independent Women’s Refuges or Shakti Community Council.

For the Victims of Family Violence Resident Visa application (see also www.immigration.govt.nz/new-zealand-visas/apply-for-a-visa/about-visa/victims-family-violence-resident-visa) you need to provide all of the above, plus:

- Proof you are unable to return to your home country because you would have no independent financial support from employment or other sources, or you might be abused or excluded from your community. Evidence could include information about your employment and education history, or about the way your home community treats separated, single or divorced people.
- If children are included in the application, they must be 17 or under OR 18-24 with no children of their own. If they are age 21-24, they must also be dependent on your and/or your partner for financial support

Beware of unlicensed immigration advisors. For information and advice, ring our **Free Helpline 0508 744 633**, or you may be able to get help from your community law centre: **www.communitylaw.org.nz**



Helping someone who is experiencing family violence

You can always ring our Free Helpline 0508 744 633 to talk through how to best support someone you know.

IMMEDIATE DANGER

If someone is being hurt or is in immediate danger of being hurt, ring the Police for immediate help on 111. In an emergency situation, you do not need permission from the person being hurt to ring the Police.

If someone experiencing family violence is talking about ending their own life, ask if they have a plan for when and how. The more specific their plan, the greater the danger they will act on it. Asking these questions will not increase the risk that someone will end their life. If you believe there is imminent danger of suicide, ring Police on 111, and remain with the person until support arrives.

RESPOND IN WAYS THAT UPHOLD DIGNITY AND BUILD ON SAFETY

If you think that someone is, or might be, experiencing family violence, the **most important thing is to let that person know that you care about them, stay in touch, and take time to build trust.** This can take time because very often people experiencing family violence are scared - for good reason - that if they

disclose abuse, they will be judged, blamed, or that their partner will find out and they will be in greater danger.

They are likely to only open up a little bit at a time once they begin to trust you. From how you respond, they will try to figure out:

- whether you believe them
- whether what they told you changes what you think of them and how,
- whether you may give more weight to what the person abusing them has to say, and
- whether the person abusing them will be able to influence you and make you think differently about them.

Family violence is an attack on a person's safety and dignity. As a support person, it's critical that at every step of the way, you **respond to that person in ways that uphold their dignity and build on safety.**

'I'm worried about you...'

'I've noticed that...'

'Are you OK?'

When you are able to talk privately with the person, you can tell them you are worried about them, explain why – what you’ve noticed that has made you worried, and ask a general question like ‘Are you OK?’. Let them know if they’d rather not tell you what’s going on, that’s fine. If they feel OK about answering your questions, but you’re still not clear about what’s happening to them, you can follow up with more specific questions like:

‘Are you ever afraid of your partner?’

‘Has your partner ever hurt you?’

‘Do you feel like your partner is trying to control you?’

Ask about fear, harm and control, NOT about ‘family violence’ or ‘family violence’ or ‘abuse’ or if they are a ‘victim,’ because they may not relate to these words.

People experiencing family violence are much more likely to open up if they are asked quite specific and direct questions in a caring and compassionate way. If they don’t tell you what’s happening now, they may tell you later when they’re ready.

ONCE SOMEONE TELLS YOU THAT THEIR PARTNER IS USING VIOLENCE

If they do open up, go at their pace with the conversation, and use the same language they use to ask any more specific questions. Don’t feel like you need to have answers or solve their problem. The most important thing at this point is to **listen, believe, try to understand as much as you can what they’re going through, and follow through on anything you say you will do to help.**

Having someone trusted to talk to about what they’re experiencing can be enormously helpful.

Make sure they know they can trust you to keep what they’ve told you to yourself, unless they want you to share something with someone else. If they are being assaulted or in immediate danger, you should ring the Police even if they don’t want you to.

Don’t push or give advice. You won’t know the whole picture, and they are the best expert on their own situation. Don’t push them to do anything they’re not ready to do, and don’t push them to explain their decisions if they don’t want to. They will have many things to weigh up, and will have reasons for making certain decisions. It can be exhausting enough to cope with living with an abusive partner. Someone in this situation should not also have the burden of feeling like they need to explain and justify all of their decisions to people who are supporting them.

Do not push someone to leave a relationship with an abusive partner. There may be many reasons for staying, or barriers to leaving, that you're not aware of, and leaving may not mean that person and their children will be safer or better off. Read the section 'Leaving an abusive partner.'

It can help to learn more about their world and how the violence is harming their safety and wellbeing. Be careful not to oversimplify their world so you can feel like you understand what they are going through. If you do, you risk losing sight of their challenges and what they are capable of. Some helpful questions may include:

'What do you want to have happen?'

'What do you want to do?'

'What have you tried already?'

'What happened?'

'Did it work?'

Ask about how they have responded to the violence. In other words, it's better to ask 'What did you do next?' instead of 'How did that make you feel?' Read section on 'Responding to family violence' for more on this.

Offer information and practical support with no strings attached.

'What can I do to help?'

'Would it help if I...'

(looked after your children, gave you a lift, looked after some of your things in case you have to leave, let you use my computer or my phone, etc.)

'Do you know about Shine or other specialist services?'

Here's where you can get more information about them...

If they haven't already been in contact with Shine or another family violence specialist, you can ask if they know about our Helpline, and ask if they would like to read this booklet (free pdf download at www.2shine.org.nz/wp-content/uploads/Shine-Safer-Homes-Booklet.pdf)

CONCERN FOR SAFETY OF A CHILD

If there is imminent danger to the physical safety of a child, ring Police on 111. If you have concerns that a child is being physically abused or neglected, you can talk to Oranga Tamariki on 0508 326 459 (free to call, 24/7). You can ring this line anonymously to get advice on what to do and what would happen before making a formal report.

If you have concerns about a child experiencing family violence because their mother (or another member of their family) is being targeted, we strongly recommend you ring Shine's Free Helpline 0508 744 633 for support and advice as a first step. Read section 'Oranga Tamariki'.

Why do some men abuse their intimate partners?

Most family violence – especially causing fear and injury – is perpetrated by men against women. This form of family violence in NZ is supported by harmful, widespread beliefs and attitudes about gender roles that are held by many men and women.

Gender stereotypes see men as better-suited to leadership roles and positions of power and prestige, and women as nurturers, followers,

caregivers and helpers. These beliefs and attitudes have a historical basis from when, by law, women and children were the property of their fathers/husbands in England. The English legal system was brought here by the Europeans who colonised Aotearoa New Zealand. (Read more in section 'The impact of colonisation on Maori'.)

From an early age, many boys are pressured, especially by peers but also parents and others, to 'act like a man', in other words be strong, tough, aggressive, dominant, decisive, independent. Men are pressured NOT to cry, be weak, show fear, ask for help, be like a girl/sissy/gay, etc. As boys become teenagers, they are pressured – especially by peers – to prove their manhood/manliness by having sex and performing sexual acts with girls, and to talk about girls as sexual objects.

These harmful beliefs and attitudes about what men should look and act like trap many boys and men into using behaviours that cause harm to girls and women. This limits the choices of people of all genders about how to live their lives and punishes people who don't conform to these norms.

Rigid gender norms and stereotypes enable attitudes where some men feel entitled to use power over their female partner. These gender norms are also harmful to people in Rainbow and Takatāpui communities.

What about women who abuse?

Some women are abusive and controlling towards their partners. Abuse is never okay, and anyone who experiences it deserves support. Some women physically resist their partner's continuous pattern of abuse, violence and control. This is not mutual violence but a response to the violence they are experiencing.

Some women abuse their children. If these women are experiencing abuse themselves, their situation can be complex. Sometimes women experiencing abuse hit their children so that their abusive partner won't hit them much harder, and stop hitting their children as soon as they are safe. In any situation involving children, safety for the children must be the priority.

Non-violence programmes

People may be required to attend a non-violence programme by the Family Court, if they are a Protection Order respondent, or by the Criminal

Court or Community Probation. Other people, particularly men, are voluntarily participating in these programmes in growing numbers. There are group programmes for men or women, or individual programmes for anyone, usually requiring weekly attendance for several months.

These programmes are designed to:

- identify and help change beliefs that support them using abuse against their intimate partner
- explore how participants' thinking may prevent change and stop them taking responsibility for their actions
- identify the effects of abuse and fear on the adults and children who they target with their abusive behaviour
- work with participants to identify practical and positive ways to resolve conflict
- support participants' change so they can give and receive more respect, trust and honesty in their relationships

Facilitators for Shine’s non-violence programme, and most other such programmes, work hard to engage with participants by providing an open, respectful environment and by judging behaviours rather than people.

Attending a non-violence programme does not guarantee someone will stop abusing. It’s important not to rely on a non-violence programme as the only safety strategy for someone experiencing family violence or to expect quick results. It is important to note that non-violence programmes only check attendance and do not regularly monitor people’s behaviour outside of the sessions.

Alcohol and drugs

Using alcohol and drugs often increases the risk of more serious injuries, but is rarely the underlying cause of abusive behaviour. Someone blaming alcohol or drugs for their violence is usually avoiding taking responsibility for their actions. Many people drink or get drunk, but never get violent. It’s rare for people to drink or use to the point of blacking out and then act completely out of character. Many people stop drinking but continue to use abusive behaviour towards a partner. Often they stop the more serious violence, but it’s rare that this change alone stops all abusive behaviour.

If someone who drinks or uses drugs is serious about stopping their abusive behaviour, we recommend that they get help for their drinking/drug use and attend a non-violence programme to address their violence.

As a society we still have a long way to go in finding solutions that will keep people experiencing violence safe and hold those who use violence accountable.

No Excuses: changing lives

Although change can be very hard, there are many stories of people who've been violent to their partners and children who have successfully changed their behaviour to become respectful, safe and loving partners and parents/fathers. Here are some quotes from participants in Shine's No Excuses programme:

“ When I first attended, I was in denial. I was on a destructive path and felt gutted about who I was and what I was doing at home. Now I've changed my life and my relationship with my girlfriend has really improved. I've got more respect for myself and others. I owe a lot to you all.” - 23 years

“ I am noticing more each day my approach to situations and how resolving issues in my life has made each day so much more bearable...To be proud of myself again is huge for me, and while yes I did the course myself, I owe a huge thanks to you and the course counsellors for helping me understand and recognise some serious faults in my life.” - 36 years

“ Yesterday I heard my daughter ask her mum why Dad wasn't angry all the time now... It was tough to hear her say that, but it also felt good to know she had seen a change. My daughter's getting her father back.” - 29 years

“ Thank you for changing my life and showing me how to value myself and my partner.” - 31 years

“ I have found the issues identified and discussed by other course members has mirrored exactly my personal situation and has provoked many positive changes in my personal life... I remain a strong advocate of the programme and the positive changes it makes to many lives.”
- 44 years

What helps someone who's using abuse, to change?

There is no easy way to 'fix' people who perpetrate family violence so they stop using abusive behaviours. **People will only change if they are motivated.**

Motivation often comes from being held accountable. Someone may be held accountable by getting arrested, convicted and serving a sentence - prison, supervision, probation, etc. Or it may be that their partner leaves them and they lose access to their children.

It may be that someone's friends, family or social networks, such as their church, have challenged their abusive behaviours. It may be that their abusive behaviour has impacted on their work and resulted in work-related consequences (as recommended by Shine's DVFREE programme - see www.dvfree.org.nz).

Even with motivation, it can be hard for people to change lifelong patterns of behaviour, especially if they are surrounded by friends, family and others who support their use of abuse.

It is very easy to be pulled into colluding with someone who uses violence: they can be very skilled at manipulating others in their lives to make it seem like they are the real victim and their partner who they are controlling and abusing is the problem. If you see it and don't say anything or offer to help in a safe way, you may

be supporting that person's use of violence.

Most people perpetrating family violence need both motivation and support to change. Support from family, friends and colleagues may be enough, but many people find it helps to get support from a non-violence programme.

IF YOU WANT TO CHALLENGE SOMEONE'S ABUSIVE BEHAVIOUR, HERE ARE SOME SUGGESTIONS:

- Be calm and respectful. It doesn't help to use behaviours you want that person to stop using.
- Don't share what the person being targeted by their abuse has told you without their permission or if it may put that person at more risk.
- Point out abusive behaviours you have seen or someone has told you about other than their partner.
- Use your own words to say 'Family violence is not OK. But it is OK to ask for help.'
- Suggest a non-violence programme. Offer to go to the initial appointment as a support person.
- Suggest they ring the **Shine Helpline at 0508 744 633** to find a local non-violence programme or find out more about these programmes in general, or just to talk about concerns about their abusive behaviour.

What else can I do to stop family violence in New Zealand?

If you're recovering from violence from an abusive partner or family member, it's important to allow yourself to focus on doing whatever you need to do for you and your children to recover, until you feel safe and strong.

If you've stopped abusing your (ex) partner/family members - that is awesome. If you haven't already, think about attending a local non-violence programme to have a deeper look at the beliefs and attitudes that were supporting your abusive behaviour. Change is not easy, and sticking with change for the long haul is even harder.

In Aotearoa New Zealand and worldwide, more people are trying to stop family violence from happening and speaking out against it. If you are one of these people, here are some ideas for you.

- Read and learn more about the issue, or attend training (www.2shine.org.nz/how-shine-helps/training)
- Donate to, or fundraise for Shine or another family violence service or advocacy group
- Talk to your employer about making sure there is support available for staff who are experiencing family violence (see www.dvfree.org.nz)

Since 1990, Shine has been making homes safer in Aotearoa New Zealand. We help people experiencing family violence to become safer and support their self-determination. We motivate and support people who use family violence to change their behaviours. We help other organisations and individuals to respond safely and effectively to family violence so that more people can get the help they need. And we work to shift beliefs and attitudes so that everyone understands that family violence is not OK.

For more information about Shine and family violence, visit our website:

www.2shine.org.nz

Free Helpline:

0508 744 633

We're here to help you.
7 days a week 24 hours a day.

 www.facebook.com/shinenz

 enquiries@2shine.org.nz

