

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 domestic 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

Domestic 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.

Many people who are abused by a partner or family member feel as though they are doing something to deserve it. **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

domestic 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.

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Shine Helpline: 0508 744 633

Free to call, 7 days a week, 9am to 11pm

If you are ever 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 domestic violence to ring. We are here to support you no matter your age, ethnicity, culture, religion, gender/gender identity, sexual orientation or personal situation.

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

Anyone who has abused a partner or family and 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 domestic violence and how much danger you may be in.
- 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 safe and cope.
- 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 orders 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 domestic violence helplines:

- **Shine Helpline:** 0508 744 633 – 9am to 11pm, 7 days. 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 - 9am to 11pm, 7 days. www.areyouok.org.nz
- **Hey Bro helpline:** 0800 Hey Bro (439 276) – 24/7 (for men who feel they're going to harm a loved one or whānau member). www.hewakatapu.org.nz/services/0800-hey-bro
- **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

Understanding domestic violence

Domestic violence is a widespread and largely hidden problem in Aotearoa New Zealand. One in three NZ women experience physical or sexualised violence from an intimate partner or ex-partner in their lifetime. In 2018, NZ Police responded to a domestic violence callout on average every 4 minutes. About half of all NZ homicides are domestic 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 domestic violence called **'intimate partner violence' or IPV**. Much of what we explain about the nature of IPV is often similar to the nature of domestic violence when it happens within other family relationships.

IPV is a pattern of harmful behaviour 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). **This means that, on any one occasion, someone is responding to their partner's abuse at that moment as well as all the ways their partner has harmed them and others in the past;** they are not responding to individual 'incidents' of abuse.

Children are always harmed when they are part of a family or whanau where there is intimate partner violence. Whether the abusive person exposes the children to their abusive behavior towards their partner, or uses the children to coerce or control their partner, or targets the children directly, they are harming the children. (See section about Children)

The legal definition of family violence

This booklet talks about 'domestic violence,' which is the same thing as 'family violence.' Both terms are used in New Zealand legislation. The Family Violence Act 2018 defines 'family violence', and there's also the Domestic Violence – Victims Protection Act 2018 (see section 'Workplace entitlements & safety planning'). NZ Police call it 'family harm', and you might hear people talk about 'domestic abuse'. These all mean the same thing.

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 whether or how much dowry (gifts, goods, money, property, other benefits) is given to one or more family members for a (proposed) marriage.

The Act states that psychological abuse includes threats, intimidation or harassment, damage to property, ill-treatment of household 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 exposed to family violence: '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 usually personalised to most effectively target the things or people a particular person holds dear. Abuse leaves that person

feeling confused, embarrassed, out of control, trapped, and like there is no way to respond without being hurt or harmed. Something that is abusive to one person might not be to another – it depends on what someone using the behaviour is trying to achieve and how the behaviour impacts on the other person. This is one reason why abuse is often so subtle and complex.



Has someone close to you:

COERCIVE BEHAVIOURS:

Been 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, held you hostage, raped 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, forced you to undergo circumcision (genital mutilation);

Intimidated you and made you frightened? E.g. threatened to hurt you or the children or other family and 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 bring shame to your family or community, forced you to marry someone.

CONTROLLING BEHAVIOURS:

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;

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; followed or stalked you or had other family and 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;

Took advantage of you or used you for selfish reasons? E.g. treated you like a slave, (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;

Took away or limited your access to basic needs, humiliated or embarrassed or gaslighted you (played mind games on you, manipulated you by psychological means 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 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 you parent your children, was rude or mean to your friends/family/whānau or to you in front of your children/others, uploaded without your consent nude or intimate photos or videos of you online, criticised your family/whānau/friends/culture/religion/religious

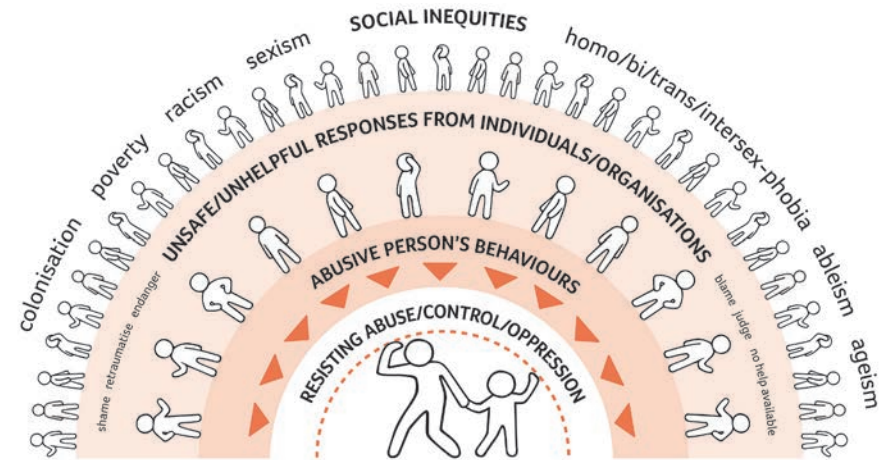
beliefs/sexuality/gender identity/disability, shared or threatened to share things from your past with others to embarrass you, used guilt or forced you to do something you find shameful – take drugs, commit crimes, get an abortion, perform sexual acts, etc – then threatened to tell others, denied things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

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

Layers of entrapment

Someone experiencing IPV is trapped by their partner's coercive control and by:

- **Ineffective, unhelpful or unsafe responses from services/organisations and other people** and
- **Social inequities** e.g. sexism, racism, colonisation, poverty, heteronormativity (discrimination against people who are not heterosexual), ableism (discrimination against people living with disability), ageism, etc.



A person experiencing IPV 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 domestic 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.) limits people's safety options and increases 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 perpetrates, domestic violence?

People of any gender can perpetrate or experience IPV and domestic violence. It is never OK. All people who experience it deserve help and support to be safe, and all people who perpetrate it should be held accountable.

Men perpetrating IPV 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 and whānau members. For example, many people continue to believe domestic violence is a private matter and do not step in when they see it, or dismiss the behaviour - 'boys will be boys', or justify the behaviour e.g. by saying 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 context 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.

Domestic violence is just as common within Rainbow relationships (lesbian, gay, bisexual, transgender, queer, intersex) as heterosexual relationships.

Due to inequities (poverty, racism, colonisation etc), people from marginalised groups in society experience additional barriers to receiving help and safety. This includes non-binary or gender fluid people as well as Māori and other marginalised cultural and ethnic groups, and people with physical and intellectual disabilities.

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

In their words (people who experience domestic 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 got really nasty sometimes. The kids were terrified of her when she was like that. I can't leave - I'm too scared that she will get custody and I won't be able to protect them anymore.”

“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 domestic violence

People resist domestic violence to try to be safe and maintain their dignity. Resistance cannot stop the violence - only the person perpetrating 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? What did you tell yourself in your mind?

You may have resisted in ways that were obvious to others - such as physically fighting back, 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 to try and protect yourself or your children. This kind of resistance can help people cope with an impossible situation.

People experiencing domestic 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. This can help them feel respected, and see their support person as walking alongside them and respecting their lived experience. **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 domestic 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 maximize 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 an abusive partner

Leaving a partner using 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.

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

People experiencing domestic violence have a lot to weigh up when deciding whether to stay or leave. Because of the nature of entrapment, **people experiencing domestic 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 others' family and 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 the Shine Helpline may help you understand likely outcomes for various choices, and provide you with support, or referrals for support, while you make difficult decisions.

If you are supporting someone experiencing domestic violence, help them by providing non-judgmental support and aroha no matter what, and providing practical help so that they have more real choices available.

Children

Even when children do not see or hear it, nor even live in the same home where it happens, they are impacted by the domestic violence perpetrated towards their mum or someone else who cares for them.

Exactly how children are affected 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 safe 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

An abusive person 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, crying, fear and chaos in the home, babies, even in utero, can suffer serious distress.

Impacts on children may not show up straight away. It can take days, weeks, months or years. Parents, teachers and professionals can easily make the mistake of blaming the child for being 'difficult' or 'naughty' and make a bad time even worse for a child who needs more love and caring, rather than more punishment.

It can be very helpful for children to get specialist help after they've been exposed to domestic 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 safe 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 IPV, you are experiencing an attack on your ability to parent.

A partner's violence and controlling behaviours makes 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. Support is often needed to rebuild the parenting relationship between the abused adult and their children.**

IPV often stops the abused parent from being able to provide for their children's basic needs. Many people experiencing IPV face other harsh realities as they try to provide for their children, particularly those living in poverty.

People experiencing, and people using violence, often find it difficult to talk to their children about abuse they have seen or heard, or think it's best not to 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/caregivers manage living with a partner that uses abuse because they believe it's best to stay

for their children, or because they fear that by leaving, their partner will (sometimes) have sole care of the children and they won't be able to protect them.

For some mothers/caregivers, leaving an abusive partner leads to greater safety and wellbeing for their children. But for many others, leaving an abusive partner leads to greater danger or uncertainty for children as the abusive 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 abusive parent.

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

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



Rainbow relationships

Rates of intimate partner violence in Rainbow relationships (people who are lesbian, gay, bisexual, transgender, queer, and intersex, or LGBTQI) are similar or higher than for heterosexual relationships. Bisexual and transgender women face statistically higher levels of violence than heterosexual women.

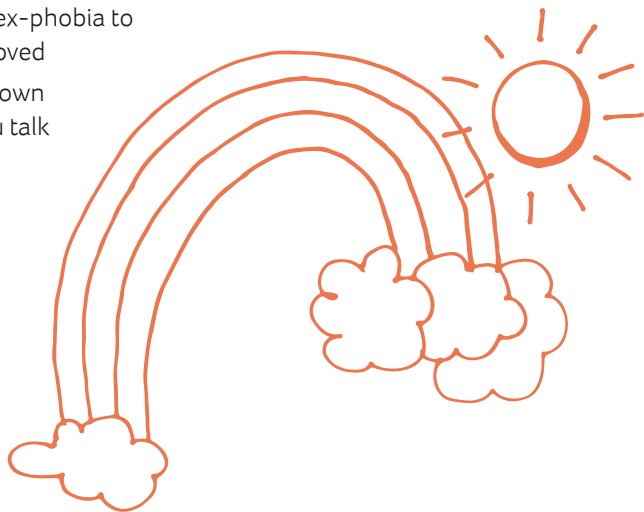
Within a Rainbow relationship, there may be different behaviours used to control someone such as:

- 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

LGBTQI people face additional barriers to safety and support because many agencies and services are not responsive to their needs.

Creating safe and inclusive environments where people in the Rainbow community can be open about their sexual orientation or gender identity is an important first step to creating an environment and a society where they can safely access help for domestic violence without compromising their dignity.

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



People with disabilities

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 person with a disability 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 people with a disability 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 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 *wāhine* (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 wāhine 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.

The level of violence within Māori whanau seen today reflects the patriarchal norms of the British colonizing culture, as well as historical and intergenerational trauma 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, and the loss of cultural identity and the largescale 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 trauma. 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 domestic 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 an abusive husband/ spouse.

But many widely respected religious and cultural leaders believe that abusive men should change their behaviour and that women are justified in separating from an abusive husband. Many also understand how important it is in these situations to protect children from exposure to domestic 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 more effective than mainstream programmes, 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 domestic violence.

Planning for safety & wellbeing

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



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. **If any of these things have happened/are happening to you, then you (and your children) are likely in danger of being killed or seriously injured:**

- Is your (ex) partner's physical violence getting worse or happening more often?
- Does your (ex) partner own or have access to a gun?
- Has your (ex) partner ever used any weapon to hurt you – anything other than their hands, especially a deadly weapon (gun, knife, axe, etc)?
- In the last year, have you left or tried to leave your (ex) partner?
- Has your (ex) partner threatened to kill you? Do you believe they are capable of killing you?
- Has your (ex) partner ever avoided arrest for domestic violence?
- Do you have a child that is not your (ex) partner's child?
- Does your (ex) partner threaten to harm your children?
- 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?
- Does your (ex) partner use drugs? Is your (ex) partner a problem drinker or alcoholic?
- Does your (ex) partner control all or almost all of what you do during the day?
- Does your (ex) partner get extremely jealous of you all the time?
- If you are female, has your (ex) partner ever hit or physically assaulted you while you were pregnant?
- Has your (ex) partner ever threatened suicide or tried to end their own life?
- 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?

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. Their children will also be at high risk of being killed, even if they have never been physically abused by that person.

The best way to predict future behaviour is by past behaviour.

If you are thinking about killing yourself because of your (ex) partner's abuse, please ring Shine's Helpline or any of the other Helplines on p. 3. It may feel right now like there is no way out, but there is always hope.

Specialist support

It is sometimes very difficult for people experiencing domestic violence to find safety and freedom without support from 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, as your local service would usually coordinate with Police and others, both to support people experiencing domestic violence, and to monitor people perpetrating domestic violence to change their behaviour and to hold them accountable.

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. Think about the best places to try to get to within your house** – such as a room with two exits, ideally where you can be seen or heard from outside and there are fewer things that can be used as weapons, including hard surfaces. It's usually a good idea to avoid the kitchen, bathrooms, and garage and stay away from stairs.

You may want to think ahead about:

- **What are the easiest escape routes?** Doors, windows etc. Are there obstacles to a speedy exit?
- Where can you run to? You may want to **arrange a safe place in advance with someone you trust** – a neighbour or friend/family member nearby.
- **What essentials will you need and where can you hide them** where you can get them quickly or can you leave them with someone you trust? E.g. cash, cards, keys, medications and important papers. If you need to hide them, where is the safest place where your partner is least likely to look – a container in the freezer? Behind a drawer?

- 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. **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** and keep it somewhere safe for emergencies or making calls you want to keep private. Shine or your local specialist organisation may be able to get you a phone with a prepaid SIM.

If you have a neighbour or someone living nearby you can trust, you may **plan signals and/or code words to let them know to come over to create a supportive/defusing presence or to call for help.** It could be a light turned on, a drawn shade, or a text with an unusual emoji, for example.

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.

You may want to **open a separate bank account for emergencies that your partner doesn't know about** and make small deposits whenever you can that won't be noticed. Is there an address you can use for this account instead of your home address so your partner won't

see any mail from the bank? If you're employed, consider using your work address.

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 abusive person), you could think about planning a code word with them so that when you say it, they know to take planned actions, for example, depending on the child's age and ability:

- Run to a neighbour and ask them to call the Police
- Call 111. You may want to teach them the words to use, for example, "This is Sarah, 99 East Street. Mum's getting hurt. She needs help now."
- Run to a particular safe place outside the house to hide.

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

REDUCE ISOLATION – FOR SAFETY, SUPPORT AND SOCIAL CONNECTION

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
- By having friends or family drop by, particularly people in whose presence your partner is likely to keep behaviour in check
- Through a community course – often free or very cheap courses are available at community centres on many things, for example, yoga, cooking, etc.
- By joining a sports team or club
- Taking lessons or classes that can help build confidence or learn useful skills – learn how to drive, swim, do simple home repairs or auto maintenance, learn to speak, read, or write English, how to use a computer, etc.

SAFE USE OF TECHNOLOGY WHILE IN THE RELATIONSHIP

Using technology is an important part of staying connected in today's world, especially cell phones and other devices that can access the internet. Technology is always changing, so 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.

GATHER ESSENTIALS

It may be a good idea to **collect things you will need to take with you ahead of time, and store them someplace safe**, perhaps with a trusted friend/support person. You may want to start with the absolute essentials – spare clothing, cash, spare keys, medication and any other essential items and documents – and add other important items and documents as you are able, such as:

- keys to house, garage, car, office – can you make a spare set ahead of time?
- cell phone and list of important addresses and phone numbers
- clothing and other personal needs
- children's essential school needs, favourite toy or comforter
- photograph of your partner so that support people know what your partner looks like

- documents for yourself and children:
 - driver's licence, EFTPOS/credit cards
 - Birth certificates, marriage certificate
 - passports / any other forms of identification
 - insurance policies
 - IRD number
 - bank account details and statements, records of any other shared assets
 - Work and Income documents
 - medical records – ask your family doctor and hospital staff to note evidence of injuries on your patient records
 - protection order
 - custody papers, adoption papers, immigration documentation, any other important legal records

FINANCIAL PLANNING:

It could be helpful to **make a list of all of your accounts and any financial assets** (house, car, etc) owned by you and/or your partner, and **record whose name each is under and any outstanding debt**.

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

So you may want to **consider opening a separate bank account in your name ahead of time**, if you can, and making small deposits whenever you can to prepare for leaving. 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.

Otherwise, you may want to consider, immediately before or after leaving, **transferring money out of joint accounts and into your own name**. Consider using the "cash advance" feature of your jointly-held credit cards and take them to their limit, then put the money in an interest-bearing account in your own name.

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 domestic 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 **arrange 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' to learn more. You can apply at the same time for an occupancy or tenancy order to stay in your home, and it may also be a good idea to apply for a parenting order at the same time to keep custody of your children.

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.'

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 occupancy 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' 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**, breaching access arrangements, i.e. check first before opening the door, come inside or go to the neighbours if your ex comes to the house, tell a teacher if they are approached at school.

- **Teach your children how to ring Police on 111 and what to say**. If they can't get to a phone, ask someone else to ring 111 for them.
- **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.

VARY ROUTES/ROUTINES:

- You may want to **avoid going to the same places as before**, e.g. shops, church/temple, bank, hairdresser, library, post shop. It may not be worth giving up someplace important to you, in which case **think about how to go there as safely as possible**. Is there someone trusted you can ask to help by alerting you if your ex-partner arrives and/or some other agreed action?
- It might be a good idea to **vary your travel routes to and from work** or anywhere else you go routinely.
- Make sure you **know where your local police station(s) is**, so that if you are being followed by car, you can go directly there. If you're followed by foot, it's probably safest to go somewhere as public as possible.

SECURITY AT HOME AND ELSEWHERE

- If your ex-partner is very dangerous and you want to remain separated, 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.
- **Plan for extra safety between leaving your car and entering your home**, e.g. removal of shrubs or trees in the area, safety lighting, an automatic garage door opener.
- **Consider getting a dog**. This can be good for safety as well as emotional wellbeing for you and your children if it is possible and practical.
- 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**. Share a photo of your ex and their car make, model, and registration if you can.

- If you're employed you might want to **ask your employer to help keep you safe 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 planning checklist at www.dvfree.org.nz/dvfree-guidelines-for-policy-procedures

LIMIT THE WAYS YOUR ABUSER CAN LOCATE OR CONTACT YOU:

- If your ex-partner is sending you abusive texts, or texting you constantly, **consider getting a second cell phone** and giving this number to everyone else. If your ex is the only person using the first number, you can check it only when you want to, or ask a trusted friend to keep it and use their judgment to let you know if there is a text you need to know about.
- Ask your telephone company to **install 'Caller ID' on your telephone and ask for an unlisted number, but make sure that emergency services have access to your phone number**.
- 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, or **take care to hide information that might give away where you live and anything that you wish to keep private** from your ex-partner. Ask your friends not to disclose anything about where you live, work, etc on social media. 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'.

EDUCATE YOURSELF, RECOVER FROM TRAUMA, GROW CONFIDENCE, 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 domestic violence. Read later sections on 'Safety Programmes' and 'Counselling and Therapy'.

- You may need time and support to recover from trauma. **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 domestic violence leave of up to ten days annually**. See section 'Workplace entitlements and safety planning'.
- **Increase your confidence and wellbeing, and build your support networks**. These are some ways that other people have done this:
 - Join a gym or take an exercise class like Zumba, yoga, swimming, etc. or participate in a recreational sport – netball, lawn bowls, etc.
 - Join a local church/spiritual community
 - Join a mum's group or playgroup
 - Do some volunteering – it may be best to avoid anything too emotionally taxing until you've had time to rest and recover. Talk to your local Citizen's Advice Bureau (CAB) or Volunteer Centre for ideas.

Safe use of technology

Technology is a rapidly changing area, so for the best up to date information, go to the Netsafe website:

- Safe use of technology (while you're with an abusive partner): www.netsafe.org.nz/abuse-and-technology/
- Preventing technology abuse (after you've left an abusive partner): www.netsafe.org.nz/preventing-technology-abuse-after-a-relationship-ends/

SOME KEY POINTS TO CONSIDER:

- If your (ex)partner always seems to know what you're doing and where you are, see if you can find patterns and narrow down the device they might be getting that information from (e.g., laptop, mobile phone, tablet, GPS tracker, etc.), and how much information they can access from it. For example, do they only know locations you are going to, or who you are meeting and what you talk about as well?
- 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.
- Collect and store 'evidence', such as texts, emails, screenshots and video recordings in a safe place; you could send them to a friend's email or a secret account that your (ex)partner doesn't have access to, upload them on a password protected cloud-based account, and/or save them on an external drive like a USB.
- Trust your instincts; if it doesn't seem right, it probably isn't, and is worth checking it out!

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.

Workplace entitlements & safety planning

(if you are employed)

If you are employed and you have experienced 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 domestic violence leave annually in addition to holiday, sick leave etc., to deal with the effects of domestic 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 domestic 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 domestic 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 domestic 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. Employers should assist even if the risk is from someone outside the workplace, but this has not yet been tested legally.

You may consider sharing Shine's workplace safety 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 safe and good 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 domestic 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 domestic 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 domestic violence, even if that is not your primary concern. 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). Or we can help you think through what to ask someone you are talking to about providing you with counselling or therapy.

What to expect at women's refuge

Leaving home is a big decision, but it may be the only way for you and your children to be safe in the short term. If you are thinking of leaving an abusive partner, but you don't have a safe place to go, you may want to consider going to a women's refuge - either one of Shine's Auckland refuges or one of many others throughout the country.

Refuge can offer safe, short-term accommodation for women, and their children, who are at risk of further harm from an abusive partner. At a refuge, you and your children can get some time and space to begin to recover from trauma caused by 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
- Finding safe, permanent housing
- Providing information about Work and Income benefits and support to apply

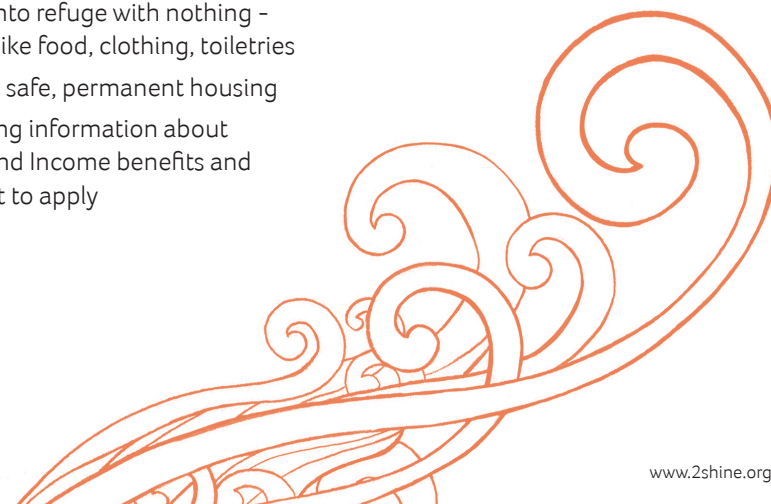
- Providing support groups or counselling and help to find a lawyer.

Most refuges are like large houses where each family has its own private area 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 do not have children or you have an older teenage son. If this is the case, please ring our Helpline to talk through your options.

If you are a man trying to escape an abusive partner, ring Shine's Helpline and we can talk to you about options for emergency accommodation 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. Read on under 'How do I get a protection order?' 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 parents 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. Read on under 'What you can do if your order is breached' about this. 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 (See section 'Non-violence programmes').

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 your handbag
- 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 domestic 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 domestic 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, but 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. You may also be eligible if you live with someone on a high income and you apply for the order against that person. If you do not qualify for legal aid, a lawyer can be very expensive. 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 incidents and as much detail as possible about the pattern of coercive control over time. Your application needs to document a recent incident or otherwise prove that there is an ongoing need for protection.

If you are thinking about preparing your own application, we encourage you to ring Shine's Helpline to talk through what to include in your application.

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

The order may be granted within 24 hours if a judge believes your situation is serious enough. Or it can take a few more days. If the judge does not consider it serious enough, the respondent will be notified before the order is made.

You may be given a temporary protection order, which lasts for three months, while a decision is made about a final order. During those three months, the respondent can ask the court to cancel the temporary 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.

Unfortunately, it tends to be far more difficult to get a protection order if there was no physical abuse, and far more likely the order will be put 'on notice' – the respondent notified before the order is made.

Ring Shine's Helpline to talk through your situation so we can help you know what you might expect.

WHAT DO I NEED FOR THE LAWYER?

To speed the process, bring copies of:

- marriage certificate
- birth certificates for you and your children
- passports
- doctor/hospital records or photos from past abuse and injuries

- names and numbers of people who can back up your story, e.g. neighbour, relative, friend
- NZ citizenship, residency or visa (See section on 'Immigration – Family Violence Visa' if you are dependent on your abusive ex-partner for your visa/residency)

Protection orders for children

A protection order also protects any children under 18 who usually live with the applicant. The respondent may only have contact with children if:

- There's a parenting order, other court order or parenting agreement in place between the applicant and the respondent that allows it, or
- The applicant has agreed to live with the respondent.

An urgent parenting order can be applied for at the same time as a protection order. By applying for protection and parenting orders at the same time, you are letting the Family Court know about your safety concerns and that your case is not appropriate for family dispute resolution – which is otherwise the default pathway for separating partners who disagree about childcare and access (see following section).

For more information, talk to your lawyer, or ring our **Free Helpline 0508 744 633**, or read more at www.justice.govt.nz/family/family-violence/ways-you-can-stay-safe-from-family-violence/#Howprotectchildren

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.**

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

Many Oranga Tamariki (OT) social workers do not have an in-depth understanding of domestic violence. As a result, OT social workers sometimes blame mums experiencing intimate partner violence for 'failing to protect' their children from a partner's abuse, or pressure mums to leave an abusive partner without fully understanding the risks and trade-offs for that mother 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 there is no immediate danger and the child is being exposed to violence towards their mother or another member of their family, 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 made 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.

The PSO protects any children living with the protected person.

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.



Immigration – Family Violence Visa

You may apply for a visa to work or live in NZ if you have immigrated to 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.

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.

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/apply-for-a-visa/visa-factsheet/victims-family-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,

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 domestic 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 domestic 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 domestic 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 domestic 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.

Domestic 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.**

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?'

'Do you feel like your partner is trying to control you?'

'Has your partner ever hurt you?'

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

People experiencing domestic 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 THEY ARE BEING ABUSED

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, or unless they are being assaulted or in immediate danger of being hurt – you should ring police.

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?' or *'What do you want to do?'*

'What have you tried already?' and *'What happened?'* or *'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 domestic 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 domestic 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/shop/written-resources-dvds/safer-homes-booklet)

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 being exposed to domestic violence towards their mother or caregiver or other family member, we strongly recommend you ring Shine's Free Helpline 0508 744 633 for support and advice as a first step. Read section 'Oranga Tamariki'.

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 - called harmful masculine norms or toxic masculinity - trap many boys and men into using behaviours that cause harm to girls and women. Toxic masculinity is also toxic to men and boys, limiting their choices about how to live their lives and express themselves, and punishing men/boys who don't conform to these norms.

HOW TO STOP DOMESTIC VIOLENCE

The following sections may help you understand why some people use violence towards someone within a family relationship, what can help motivate and support these people to change their behaviour, what programmes and services are available to help, and what you can do.

Why do some men abuse their intimate partners?

Most domestic violence – especially causing fear and injury – is perpetrated by men against women. This form of domestic 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 husbands/fathers 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,

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 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 abuse within intimate relationships
- 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 targeted with participants' 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 domestic violence.

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 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. See previous section about non-violence programmes.

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. Many have also grown up around violence, meaning that changing those lifelong patterns and beliefs can be that much harder. 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. Learning to not bite back, but see what is going on for what it really is. 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 using abuse to change?

There is no easy way to 'fix' people who perpetrate domestic 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, 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, or shamed or shunned them because of the abuse. 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 friend, family, and others who support their use of abuse.

Most people perpetrating domestic 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.

Men in particular who participate in non-violence group programmes often say they cannot have open and honest conversations about partners, family and their behaviour with their peers, and that the only place where they can speak freely on these topics is in their 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 'Domestic 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** or **0800 Hey Bro** (0800 439 276, more on p.3) 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 domestic violence in New Zealand?

If you're being abused, or recovering from trauma caused by 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. Make sure you address any issues that supported your abusive behaviour, such as alcohol or drug use, unresolved childhood trauma, mental health issues, etc.

Otherwise...

In Aotearoa New Zealand and worldwide, more people are trying to stop domestic 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, fundraise for, or volunteer for Shine or another domestic violence service or advocacy group
- Talk to your employer about making sure there is support available for staff who are experiencing domestic violence (see www.dvfree.org.nz)
- Talk to your kids' school or daycare about what they are doing in this space (Read about Shine's prevention work in secondary schools at www.2shine.org.nz/how-shine-helps/shine-in-school)
- Be creative!

shine*

making homes violence free

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



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

www.2shine.org.nz

Free Helpline:

0508 744 633

We're here to help you.
Call us, it's free and confidential to talk.
7 days a week, 9am to 11pm.

 www.facebook.com/shinenz
 enquiries@2shine.org.nz

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