



Family Violence Law Review  
Ministry of Justice  
DX SX1008  
Wellington  
New Zealand

Att: Hon Amy Adams, Minister of Justice

By email: [familyviolencelaw@justice.govt.nz](mailto:familyviolencelaw@justice.govt.nz)

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### **Rural Women New Zealand Submission Family Violence Law Review**

#### *Introduction*

Rural Women New Zealand is a charitable member based organisation that reaches into all rural communities and advocates on issues that impact on those communities. It welcomes the opportunity to comment on the Family Violence Law Review.

Rural Women New Zealand recommends that a Rural Impact Assessment (RIA) is applied to legislation, regulations and policy. And this applies to Bills before they are presented to Parliament. This will require close analysis of the issues that specifically impact on rural communities. An RIA will mean ensuring that the needs and interests of rural people are properly considered in the development of any law review. It is not about special treatment for rural areas, but about understanding how rural communities can be disadvantaged through lack of engagement and resources.

Rural Women New Zealand has a robust policy and advocates on the rights of our rural women and families to be able to live freely and without fear within their communities. We have surveyed our members.

#### *Submission*

##### **The nature and dynamics of family violence across population groups**

Rural Women New Zealand supports the idea of consultation across population groups, feeling that the rural community should be included as access to support groups and social agencies is limited. Rural populations are more isolated from neighbours, and abusive behavior may be less obvious.

## **Definition of 'family violence'**

Rural Women New Zealand believes that violence is violence no matter the name. Coercive behavior is subjective and viewed differently by many what is coercive to me may not be to another. We assume in the instance it means control over another and that is not Okay.

## **Including violence to an animal**

This needs to be included as it can become a mental health issues for the ones who have their animals threatened it is controlling the person.

## **Guiding principles**

We agree with include principles emphasising developments in the understanding of family violence.

## **Accessibility of protection orders**

In rural it can be very difficult to get protection orders increase funding for applications for protection orders.

Provide more opportunities for others to apply for protection orders on victims' behalf.

## **Effectiveness of protection orders**

We support Police to arrest for all breaches of protection orders, where there is sufficient evidence.

Rural Communities differ from urban as the support is often from friends and family of the perpetrator.

## **Property orders**

In rural the home goes with the employment this would require special accommodation needs to be considered when making protection orders and to make property orders more proactively.

The workplace needs to be treated as a separate issue.

## **Police safety orders**

Rural Women New Zealand supports Police to refer a perpetrator to services, except when the house is part of the employment arrangement and part of the work place.

We support empowering Police or a third party to support the victim to apply for a protection order, or apply on behalf of a victim, when a Police safety order is issued (if the victim consents, or does not object).

## **Family violence and parenting arrangement**

Rural Women New Zealand supports clarifying that a child's safety from all forms of violence is to be given greater weight and be a primary consideration.

We require parenting orders to be consistent with any existing protection order.

The courts could be given broader discretion to consider risk to the safety of the child and to an adult victim when deciding parenting arrangements.

## **Family violence in criminal law**

Rural Women New Zealand backs creating a standalone family violence offence or class of family violence offences.

Create a new offence of psychological violence, coercive control or repeat family violence offending.

Make repeated and serious family violence offending an aggravating factor at sentencing.

## **Victim safety in bail and sentencing**

Rural Women New Zealand support requiring judges to make victim safety the paramount consideration in bail decisions in all family violence offences or for specific charges such as male assaults female.

Allow judges to place additional conditions on people on bail or remanded in custody for any family violence offence.

Have improved bail structures.

## **Judicial powers in criminal proceedings**

Rural Women New Zealand empowers judges in criminal proceedings to refer the question of varying a protection or parenting order directly to the Family Court.

## **Best practice**

Rural Women New Zealand suggests conferencing between all parties to resolve the underlying issues, especially with family/extended family and support services.

## **Information sharing between agencies**

Rural Women New Zealand supports information sharing and disclosing information where family violence occurs across all sectors of health and education, though privacy should still be maintained.

## **Safe and competent workforce**

Establish minimum standards for workforce competence.

Require agencies and service providers to put in place policies and systems that support the workforce to practice in a responsive, safe and competent way.

However Rural Women New Zealand does have some concerns as to how this Family Violence Law Review can be successfully implemented in a rural area where there are reduced resources and services.

This could be peculiar to a rural area driven by agriculture where family businesses may also be where the person lives, and works such as the farm. We recommend that the uniqueness of rural living is noted including isolation, 'everybody knows everybody else' the lack of support available for the victim, limited opportunities for socialisation – there may only be one venue – the pub or the sports club making avoiding contact difficult. This is where a rural impact assessment will assist in providing for the best outcome for the victim, the perpetrator, the family and the community.

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