



waves

Waitakere Anti-Violence Essential Services

WAVES Trust Submission Strengthening New Zealand's legislative response to family violence

[Supporting Agencies](#)

WAVES Trust

Family Action

Community Waitakere

CCS Disability Action

Te Whanau o Waipareira Trust

Injury Prevention Aotearoa

Family Violence Prevention Network North Shore

Auckland North Community and Development (ANCAD)

Thrive Teen Parent Support Trust

Victim Support Waitakere

SAFTINET

Kidpower New Zealand

Kaipatiki Community Facilities Trust

Hohepa Auckland

[Contact:](#)

Charlotte Moore

WAVES Trust

PO Box 12-1450

Henderson

Auckland 0650

P: 09 838 4834

charlotte@waves.org.nz

Background

Waitakere Anti Violence Essential Services (WAVES) Trust is an interagency family violence network organisation. WAVES' membership spans approximately 60 government and non-government service providers and individuals who work either directly or indirectly in the area of family violence in West Auckland. This collaborative submission has been developed by WAVES Trust following community consultation and draws upon input from a wide range of local social and community service providers and partner family violence networks including North Shore Family Violence Prevention Network and SAFTINET.

Introduction

We would like to take this opportunity to thank the Minister of Justice for the opportunity to contribute to the review of New Zealand's legislative responses to family violence. Family violence is a significant challenge facing communities across New Zealand and it is critical that we have robust legal structures in place to respond to the needs of victims, prevent further harm and to hold perpetrators of violence accountable.

Before we respond more specifically to the questions outlines in the discussion paper, we would like to make some more general comments:

Good laws must be supported by excellent implementation

Feedback from those who contributed to this submission noted that many of our existing laws were adequate but victims were being let down by inconsistent (or absent) implementation. Good laws must be supported by adequate resourcing and consistent and repeated training of mission critical agencies including Police and those working in the Justice sector. In particular, statutory agencies need to understand that family violence is episodic in nature. This means that episodes of family violence may not appear significant in isolation but serve to contribute to cumulative harm to victims and children.

Safety must be paramount

The overriding consideration at all times when responding to family violence must be the safety of the victim and any children who are living in affected households.

The nature and dynamics of family violence across population groups

- *What changes could be made to address the barriers faced by each population group?*
- *Does the current legal framework for family violence address the needs of vulnerable population groups, in particular disabled and elderly people?*
- *How could it be improved to better meet the needs of these groups? What changes could be made to better support victims who are migrants, particularly when immigration status is a factor?*
- *What other ideas do you suggest?*

Needs of people with disabilities

We have particular concerns that the needs of people with disabilities are not adequately addressed under current legislation. While there is an absence of adequate statistics being collected that speak to the prevalence of abuse of disabled people, Roguski (2013) suggests that as many as 90% of women with disabilities may have suffered some form of interpersonal violence in their lifetime. Caregivers are not considered under the current legislation, yet they provide intimate services and can exert considerable power and control over those in their care. We would like to see legislation changed to include these relationships under the Act.

Other concerns include:

- Accessibility of information for people with disabilities is inadequate. Information is not provided in formats that work for these groups including easy read etc.
- Mainstream agencies are not well equipped to deal with disabled victims.
- Police are not clear on how to respond to callouts where disabled people are involved.

We would also like to voice our support for points raised in the Joint submission on the discussion paper submitted on behalf of CCS Disability Action, Disabled Persons Assembly New Zealand (DPA) and IHC.

Ethnic and Migrant Communities

As identified in the discussion paper, women from ethnic and migrant communities face distinct challenges with regards to accessing assistance for family violence including cultural and language barriers. While Immigration New Zealand has made some provisions for victims of family violence whose partner is a New Zealand citizen or resident visa holder, in practice there remains a lack of knowledge around these provisions, and access to community support to navigate through the system is limited. Providing evidence of domestic violence sufficient to meet Immigration New Zealand's threshold can be difficult, particularly where abuse is psychological in nature, or where victims have not reported violence due to fear of retribution.

Abusive partners and families are able to wield considerable power and control over victims within these communities, particularly where children are involved. We have concerns that children can be used to hold women hostage using threats to retract immigration sponsorship while also applying for non-removal orders for the children through the Family Court – resulting in women facing

deportation *without their children*. We would like to see guidelines and protocols developed between Immigration New Zealand and the Family Court that ensure that parents and children are not separated through deportation processes.

Definition of 'family violence'

- *What changes to the current definition of 'domestic violence' would ensure it supports understanding of family violence and improves responses?*
- *For example:*
 - *more clearly explain the concept of 'coercive control'*
 - *use the term 'family violence' instead of 'domestic violence'*
 - *include the abuse of a family pet, where the abuse or threat of abuse is intended to intimidate or harass a family member.*

We feel that clearly defining the concept of coercive control would be useful.

There is currently a lack of consistency in the language used to describe family/domestic violence. For example New Zealand Legislation includes a 'Domestic Violence Act', but convenes 'Family Violence' Courts. Whatever terminology is adopted should be consistent across all government systems.

In general those who contributed to this submission supported the use of the term 'family violence' as being more generally inclusive of the different types of abuse that occur within homes, however it was acknowledged that this term can serve to exclude some groups including disabled people who are abused by carers (see above comments).

We suggest that a clear explanation is included to further define types of violence covered under any overarching term, i.e. intimate partner violence, elder abuse, child abuse and neglect, abuse by carers etc.

We would also suggest the use of the word whanau in legislation alongside family/domestic violence.

Guiding principles

- *How would guiding principles affect how the Domestic Violence Act and other legislation is implemented?*
- *What principles would you suggest? How could including principles in the law reflect the nature and dynamics of family violence?*
- *For example:*
 - *include principles emphasising developments in the understanding of family violence*
 - *include principles that guide how agencies are expected to respond to family violence, including particular population groups.*
- *What other ideas do you suggest?*

We would like to see the following principles included in legislation:

- Treaty of Waitangi principles: partnership, participation and protection
- Family/whanau violence is harmful to the whole family/whanau.
- Children have a right to be protected from family/whanau violence
- Family/whanau violence is a fundamental violation of human rights, and is unacceptable
- Non-violence is a fundamental social value in Aotearoa.

Accessibility of protection orders

- *What changes would you suggest to improve access to protection orders?*
- *For example:*
 - *increase funding for applications for protection orders*
 - *provide more opportunities for others to apply for protection orders on victims' behalf.*
- *What other ideas do you suggest?*

We strongly feel that **all victims should have access to legal support to obtain Protection Orders**. Cost is a significant barrier for those women who are ineligible for legal aid, particularly those whose income puts them just above the threshold for support (Robertson *et al.* 2007). Although eligibility for legal aid has been listed as being “out of scope” for this consultation, we believe that it is critical that all victims who need access to legal support to keep safe should be able to do so free of cost. Many women in abusive relationships suffer from the effects of financial abuse (recognised under the Domestic Violence Act), with assets often jointly owned with their abuser or wholly inaccessible

through complex financial arrangements including trusts etc. There can also be significant matrimonial debts, or joint debts that have been accrued under the victim's name. This can mean that it is difficult or unsafe to access funds to pay for legal services, particularly in cases where the victim does not wish to disclose to the abuser that she is applying for a Protection Order.

Again, although outside the scope of this discussion document, participants in our consultation noted that following cuts to Legal Aid funding, many lawyers have stopped providing these services, leading to a lack of professionals available to do the work.

We also note that few protection orders are being granted without notice. This is putting many women off applying. For those women who have Protection Orders granted with notice research suggests that they can experience further hardship (Robertson *et al.*, 2007). If victims have matters before the Family Violence Court it should be mandatory that protection orders are granted without notice. We would like to see Protection Orders being granted 'without notice' as the default option.

We have concerns about the lack of access to Protection Orders for people with disabilities as currently these can only be issued in the context of a domestic relationship as defined by Section 4 of the Domestic Violence Act (Roguski 2013). Amending Section 4 of the Act to include relationships with caregivers would enhance safety for people with disabilities and also the elderly.

Alternative pathways to obtaining Protection Orders including Police or other agencies applying on behalf of victims are useful but also have a number of drawbacks:

- The initiative of allowing Judges to grant protection orders on sentencing has been beneficial for victims. Police can currently apply for a Protection Order on behalf of victims, and providing the victim does not oppose the application this can be granted as final. This takes the onus away from victims. However, Protection Orders are time critical, and if this pathway is taken orders are not granted until the offender appears in court (and offenders must plead guilty). This can leave a significant period of time in which victims are vulnerable.
- We have concerns that community agencies are already underfunded to provide current critical services. While many agencies can and do assist victims in applying for Protection Orders this service can be time consuming, and would need to be recognised and resourced adequately by government.
- Anyone with a protection order taken against them should be required to make payments towards the cost of obtaining these documents, even if it is \$5 - \$10 per week.

Effectiveness of protection orders

- *What changes could enhance the effectiveness, use and enforcement of protection orders?*
- *For example:*
 - *Require Police to arrest for all breaches of protection orders, where there is sufficient evidence.*
- *What other ideas do you suggest?*

Timeliness

It can take a long time for a Protection Order to be granted, particularly if offenders are using delaying tactics. This leaves victims vulnerable in the meantime and reliant on bail conditions. The process for applying for interim or temporary protection orders needs to be as streamlined as possible to enable victims to be protected while matters are progressing through Court. There should be a presumption that wherever there are family violence charges before the Court a temporary protection order is in place for the victim/s if one does not currently exist.

Guidelines

There should be a clear set of guidelines and criteria that outline who can apply for a Protection Order and Police must enforce orders consistently and effectively. The onus should be taken away from victims having to prove there has been a breach or making decisions about whether the offender should be arrested.

There also needs to be clear process in place around how protection orders are served. At the moment there seems to be inconsistency in how orders are served depending on whether this is done by Police or by Court process servers. We feel that this process should be carried out by Police, and also that there should be minimum standards in place to ensure adequate information is provided to respondents about what the order means. This information should be provided in different languages where necessary and needs to be in hard copy when served. Clarity and consistency around this process would be good.

Breaches

If Protection Orders are to be effective **it is critical that Police act on all breaches** (Robertson *et al.*, 2007). In some cases this does not happen because the breaches are considered minimal such as texting. This sends a message to the offender that he has got away with the breach and he will continue breaching. There is also a risk victims will stop reporting to Police if they see no consequences and will put up with the harassment. One agency reports working with a victim who has had 34 breaches of her protection order. This is unacceptable.

High evidential thresholds are problematic; the nature of family violence is such that there is often an overreliance on victim testimony in order to proceed to prosecution. However, many victims may feel unsafe giving evidence in Court due to threats and intimidation from violent partners, or due to concerns about a loss of financial support for the family if the offender is sentenced to prison. Furthermore, Protection orders include psychological, emotional and verbal abuse, however these forms of abuse are often hard to prove. More weight should be given to the victim's statement and more notice of texts should be taken. For example, receiving 16 or more unwanted texts within a short space of time is stressful and can be traumatizing - especially when it continues on a daily basis. This kind of abuse needs to be taken seriously.

Protecting children

Children are included in orders granted to the protective parent, however, children are also able to apply for protection orders in their own right. In practice this is very rare, and made more difficult by

the limited access to counsel for children. We would like to see better mechanisms put in place for children to have a voice and to be protected in their own right.

Do Police checks show up Protection Orders against the Respondent? High numbers of people who have had Protection Orders issued against them applying for jobs involving children, or as carers. Employers should be aware of Protection Orders made against potential employees to ensure vulnerable adults and children are kept safe.

Property orders

- *What changes would enhance the effectiveness, use and enforcement of property orders?*
- *For example:*
 - *require judges to consider accommodation needs when making protection orders and to make property orders more proactively*
 - *simplify enforcement mechanisms.*
- *What other ideas do you suggest?*

We feel that the accommodation needs of victims and children must take precedence over those of offenders. We agree that judges should be required to be proactive when making property orders to ensure that victims and children are not further penalised by being required to relocate.

Police safety orders

- *What changes might enhance the effectiveness, use and enforcement of Police safety orders?*
- *For example:*
 - *require Police to refer a perpetrator to services, such as short-term housing*
 - *empower 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).*
- *What other ideas do you suggest?*

While Police Safety Orders (PSOs) provide a useful mechanism to respond to the immediate situation of violence, we have a number of concerns about the way in which PSOs are being used by Police in some instances. PSOs should only be issued where there is insufficient evidence to arrest.

Currently there appears to be few or no consequences when PSOs are breached. Police should be empowered to arrest any offenders who breach a PSO, and breaches should carry a charge. There needs to be robust training around the criteria for issuing PSOs. Furthermore, there needs to be a limit imposed on how many PSOs can be issued against repeat offenders before consequences are escalated. Police evaluation of PSOs (Mossman *et al.*, 2014) found that those with a significant history of offending were less likely to comply with PSOs.

As with Protection Orders there needs to be clear information given to both offenders and victims when a PSO is issued to ensure there is understanding about what it means. This is particularly the case where there are language barriers.

PSOs need to lead to funded perpetrators programmes. Currently where PSOs are issued in place of arrest and formal charges, offenders are denied referral to stopping violence programmes. If they choose to self-refer to such programmes there is no funding to support them and this creates a barrier to support for behaviour change. While it would be useful for Police to refer perpetrators to short term accommodation for the duration of their PSO, there are very few services within the community that exist to meet this need. There is already an extreme shortage of emergency accommodation, and what is available is prioritised for families. This is a gap that will require investment on the part of government if these services are to be developed.

We recommend an increase to the maximum length of time a PSO can be issued for to enable more time to ensure victim safety. This is in line with recommendations from Women's Refuge included in Police evaluation of PSOs (Mossman *et al.*, 2014) which concluded that 10 days would be a more appropriate maximum time period.

Processes also need to be developed to respond to the needs of disabled people when issuing PSOs.

Family violence and parenting arrangements

- *How should risks to children and to adult victims be reflected in parenting arrangements under the Care of Children Act 2004?*
- *How could parenting orders and protection orders be better aligned?*
- *For example:*
 - *clarify that a child's safety from all forms of violence is to be given greater weight and be a primary consideration*
 - *require parenting orders to be consistent with any existing protection order*
 - *courts could be given broader discretion to consider risk to the safety of the child and to an adult victim when deciding parenting arrangements.*
- *What other ideas do you suggest?*

It is common for abuse to continue post separation, with perpetrators continuing to exert power and control over victims. In many cases perpetrators may use parenting arrangements to further harass and intimidate victims.

This can include:

- Abusers who put down the mother in front of the children or actively encourage the children to disrespect their mother
- Buying the children presents so looking like the better parent especially when the mother is left in poverty as she has become a solo parent on a benefit
- Fathers who drag the family through the court system to get 50/50 shared care so that they are not liable for child support
- When parenting orders are in place fathers do not necessarily abide by the order, instead turning up when they feel like. This is unsettling for the children and also feels like rejection when their father continually does not turn up at the set time.
- Abusers can also make it difficult for mothers to gain employment (Elizabeth *et al.*, 2012; Elizabeth *et al.*, 2013).

Parenting Orders, Protection Orders and Property Orders should be consistent, with the safety of victims and children being paramount over and above assumptions of joint custody or access to children by the abusive parent. To enable this to happen there needs to be better communication and sharing of information between the Family court and Family Violence Court.

Furthermore, we argue that women who have Protection Orders in place should be allowed to relocate to a different locations within New Zealand. This is to allow her and her children to feel safe without the constant threat of not knowing when the respondent might turn up.

Children have the right to be heard and to be protected

Children do not have a voice even with lawyer for child. Lawyer for child only gets involved just prior to the court case. An interim parenting order is put in place in the first instance and the children's wishes may not have been considered. Decisions are made by adults for children and this may not be in the best interests of the children.

Family violence in criminal law

- *What changes, if any, could be made to the criminal law to better respond to family violence, including the cumulative harm caused by patterns of family violence?*
- *For example:*
 - *create 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.*
- *What other ideas do you suggest?*

We received mixed responses to the proposal of a standalone family violence offence or class of family violence offences. On the one hand some agencies felt that it would be useful in enabling better data collection of family violence related offending. WAVES Trust see particular benefits in having improved mechanisms to identify and record family violence offending with regards to being able to analyse trends over time and to provide an evidence base for service providers. On the other hand concern was also raised that standalone family violence charges may be perceived by some as being less serious than other more generic charges such as assault. We would like to see any specific family violence charges being laid alongside other charges, rather than replacing these.

Under the current legislation, domestic violence includes physical, sexual and psychological abuse. However, although psychological abuse is very common (and can cause significant ongoing harm to victims and children), there are not currently adequate legal responses in place to address these behaviours. We support the creation of a new offence of psychological violence, coercive control or repeat family violence offending. We also support making repeated and serious family violence offending an aggravating factor at sentencing.

There needs to be better connection between responses to sexual violence and family violence. Sexual violence that occurs within established intimate relationships is rarely disclosed to Police, but when it is it triggers a separate response pathway, i.e. it is no longer treated as family violence but rather as sexual assault when in fact it is both.

Victim safety in bail and sentencing

- *What changes would ensure victim safety is considered in bail decisions and sentencing decisions?*
- *For example:*
 - *require 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*
 - *empower judges to place additional conditions on people on bail or remanded in custody for any family violence offence*
 - *improvements to bail.*
- *What other ideas do you suggest?*

Bail

We agree that **victim safety should be the paramount consideration in bail decisions in all family violence offences**. In particular we feel that for serious assaults including Male Assaults Female (MAF), threats to kill or assault with intent to injure, offenders should be remanded in custody.

It is critical that judges have all relevant information before them before making decisions regarding bail. Given the episodic nature of family violence it is important that an offender's previous history

of family violence related offences is taken into consideration rather than simply responding to the most recent offence/s.

Bail should be imposed subject to attending a stopping violence programme. There also needs to be harsher sanctions imposed on offenders who do not attend or complete mandated programmes including financial penalties.

Court processes need to be simpler and quicker for victims. If these processes drag on for too long victims are left in limbo and at increased risk of further harm or feeling pressured into making poor decisions. The onus needs to be taken away from victims.

Sentencing

We have serious concerns around Restorative Justice or mediation being offered to victims of family violence. Victims can feel under immense pressure to agree to such processes as defendants are often given credit for this at sentencing. Research conducted by Laing (2010) into women's experiences of the family law system in Australia found that the ability for women who had experienced family violence to engage effectively in face to face processes such as mediation or restorative justice with their abuser was significantly constrained by the trauma they had suffered. We feel that such processes are inappropriate where family violence has occurred and serve to shift undue responsibility onto the victim, rather than holding offenders accountable.

If family violence is to be taken seriously sentencing needs to reflect this, particularly for repeat offenders.

Judicial powers in criminal proceedings

- *What powers should criminal court judges have to vary or suspend orders usually made by the Family Court, or to make orders at different stages in proceedings?*
- *For example:*
 - *give judges in criminal proceedings greater powers to vary protection orders on the basis of information they hear during trials*
 - *empower judges in criminal proceedings to refer the question of varying a protection or parenting order directly to the Family Court.*
- *What other ideas do you suggest?*

We agree that judges in criminal proceedings should be given greater powers to vary protection orders on the basis of information they hear during trials - provided that judges are given adequate specialist family violence training, and that amendments are made to enhance rather than undermine victim safety. If judges wish to vary in favour of respondents, these requests should be referred back to the Family Court.

Best practice

- *What changes would you suggest to court processes and structure to enable criminal courts to respond better to family violence?*

Clear and unambiguous guidelines are needed at every step of the judicial process that outline criteria for arrest, through to bail and sentencing. Victim safety should always be the paramount consideration. This would be enhanced by efforts to develop a shared understanding of 'risk' with regards to family violence across the sector for both government and non-government agencies. Considerable expertise in this area exists within community agencies and we would support guidelines that are co-developed with community, rather than through a 'top down' approach.

Additional pathway

- *What are your views on an additional pathway for families who seek help to stop violence escalating?*
- *Is such a pathway necessary or appropriate?*
- *What are your views on the range and type of services that might be appropriate in the circumstances?*
- *What are your views on clarifying in law that Police take at least one of the following steps when responding to family violence reports:*
 - *file a criminal charge (or issue a warning)*
 - *issue a Police safety order*
 - *make a referral to a funded service or services or an assessment?*
- *What other ideas do you suggest?*

Many families experiencing violence may not wish to engage with statutory agencies. For example, victims who have had poor experiences with Police or other agencies or where victims are reliant on their abuser for financial or physical support (e.g. carers). It is critical that families are able to access appropriate community based services that can provide specialist support while maintaining clients' right to privacy. However, there also needs to be robust mechanisms in place where situations are unsafe, violence is escalating or children are at risk of being harmed so that the decisions are not simply left with victims and responses are directed back through formal channels. FVIARS (Family Violence interagency Response System) groups can provide access to alternative pathways for victims while also maintaining oversight with regards to safety, however these groups need strengthening.

Alternative pathways for men are critical and there is a considerable under-investment by government in programmes for men both as offenders and as victims. We are particularly concerned

that there is a lack of funding to cover men who self-refer to stopping violence programmes as cost is a significant barrier to attending programmes. There should also be a more comprehensive investment in counselling services for men.

We would like to see better access to both counselling and group programmes for men who are serving custodial sentences of less than 2 years – and these services should be available to all men regardless of whether or not men are serving time for family violence related offences.¹

There also needs to be better pathways for children to access services. Children who are exposed to family violence can experience significant trauma (Compo *et al.*, 2014), and yet often the focus of crisis response is targeted toward the primary victim (in most cases the mother) and the offender. Often parents do not recognise the needs of children to have opportunities to understand what has happened, and do not follow up in seeking specialised support for children. We would like to see more awareness of the needs of children when referrals are being made.

Information sharing between agencies

- *What changes could enhance information sharing between agencies in family violence cases?*
- *For example:*
 - *creating a presumption of disclosing information where family violence concerns arise*
 - *stating that safety concerns 'trump' privacy concerns.*

Good information sharing between agencies is important in ensuring that risk is adequately assessed and victims are kept safe. We support a presumption of sharing information when family violence concerns arise. In particular, we would like to see better mechanisms put in place to share information between agencies and schools where children exposed to family violence are concerned.

It is important to have clear guidelines around how information can be shared, for what purposes and between which parties. Families impacted by violence should maintain a reasonable right to privacy, and there is a risk that if information is shared for the wrong purposes – for example disclosing information to government agencies which may impact on immigration status or access to income support – victims may lose trust in support services and ongoing violence may go

¹ Men are often serving time for unrelated offences (for example drugs charges, theft etc) because this was where there was sufficient evidence for Police to proceed to prosecution, however violence against intimate partners or children may have been a significant issue.

unreported. Poor practice around sharing information can also put victims at increased risk if information is shared that can be accessed by perpetrators of violence.

We would like to see best practice guidelines established to support information sharing in cases of family violence. In some cases more formal agreements such as AISAs (Approved Information Sharing Agreements) may provide an appropriate to guide information sharing.

Information sharing with and between courts

- *What changes could enhance information sharing between courts and between courts and other agencies, in family violence cases?*
- *For example:*
 - *require that judges are provided with information held by Police and other justice sector agencies*
 - *place a positive duty on parties to inform the criminal court of any related Family Court proceedings or orders.*
- *What other ideas do you suggest?*

We support the recommendations for better information sharing between criminal and family court. This needs to be done in a timely way so that Court processes are not delayed, causing further risk to victims.

Safe and competent workforce

- *In your view, what impact would setting minimum workforce and service delivery standards have on the quality of services?*
- *What challenges do you see in implementing minimum statutory standards?*
- *For example:*
 - *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.*
- *What other ideas do you suggest?*

Minimum workforce standards should be out in place to ensure that safe and qualified services are being provided to victims. Contracts provided to community agencies to provide specialist family violence services should require proven competency in the area of family violence *and should include financial provision for ongoing workforce development*. We are aware that many organisations are currently not fully funded through government contracts to provide fully specified services (see New Zealand Productivity Commission 2014). Agencies must have adequate resourcing to be able to maintain best practice standards and to ensure that staff training is adequate.

We support the recommendations made by the Ministry of Women's Affairs (2007) that all professionals working within the Family Court and Family Violence Court receive comprehensive specialist family violence training, and that this training should be refreshed annually.

It is also critical that Police receive in depth family violence training and that this is renewed regularly.

References

- Campo, M., Kaspiw, R., Moore, S. & Tayton, S. (2014). *Children affected by domestic and family violence: A review of domestic and family violence prevention, early intervention and response services*. Melbourne, VIC, Australia: Australian Institute of Family Studies.
- Dobbs, T. & Eruera, M. (2014). *Kaupapa Maori wellbeing framework: The basis for whanau violence prevention and intervention*. Auckland, New Zealand: New Zealand Family Violence Clearinghouse, University of Auckland.
- Elizabeth, V., Gavey, N., Tolmie, J. (2012). He's Just Swapped His Fists for the System. The Governance of Gender through Custody Law. *Gender & Society*. 26, 239-260.
- Elizabeth, V., Gavey, N., Tolmie, J. (2013). 'I could only work every second Sunday': The role of separated fathers in the labour market participation of separated mothers when they're in dispute over care and contact arrangements. *Women's Studies Journal*, 27(2), 2-13.
- Laing, L. (2010). *No way to live: women's experiences of negotiating the family law system in the context of domestic violence*. Sydney, NSW, Australia: University of Sydney & Benevolent Society.

- Law Commission. (2012). *Alternative pre-trial and trial processes: Possible reforms*. Wellington, New Zealand: Law Commission.
- Mossman, E., Kingi, V. & Wehipeihana, N. (2014). *An outcome evaluation of Police Safety Orders*. Wellington, New Zealand: New Zealand Police.
- New Zealand Productivity Commission. (2014) *More Effective Social Services: Issues Paper* New Zealand Productivity Commission, accessed at <http://www.productivity.govt.nz/sites/default/files/social-services-issues-paper-dec.pdf> (2 February 2015).
- Robertson, N.R., Busch, R., D'Souza, R., Sheung, F.L., Anand, R., Balzer, R., Simpson, A., Paina, D. (2007). *Living at the cutting edge : women's experiences of protection orders: Executive Summary*. University of Waikato, Hamilton, New Zealand.
- Roguski, M. (2013). *The hidden abuse of disabled people residing in the community: An exploratory study*. Gisborne, New Zealand: Tairāwhiti Community Voice.