

FAMILY VIOLENCE

“Safer Communities Together”

Don't let your
child be a victim

Police Managers' Guild Trust



From the President

This booklet is provided with the compliments of The Police Managers' Guild. It is a booklet that reinforces the message that family violence is a crime. It is no longer a private thing that goes on in the privacy of the home and is no one else's business.

In New Zealand between 1993-1998, 42.8 percent of murders and 36.8 percent of manslaughters were committed by people related to the victim. Countless more, who don't show up in official statistics, get hurt by people who apparently profess to love their victims.

This booklet covers family violence in three parts:

1. What is known about the extent of the problem in New Zealand, defining "domestic violence", "family violence", and the various forms of violence.
2. The Domestic Violence Act, protection orders, what the Police do, how you can help, and even a section on how men can protect themselves from the violence of their female partners.
3. The children: James Whakaruru's story, how violence affects children, what, when and how to report abuse – or suspected abuse – to the authorities. We look at a couple of projects that might help break the violence cycle, and we show where help is available.

As the community becomes more open about family violence, then maybe we will all work a little harder to stop it. Solutions aren't simple, but The Police Managers' Guild hopes this booklet will help.

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Auckland Rape Crisis
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www.menz.org.nz

It is often said that New Zealand's most violent places are its homes.

Like many "often-saids", it's an exaggerated generalisation. Most New Zealand homes are safe and generally peaceful places.

It is true, though, that in some, men and/or women, either married to each other or in an intimate partnership together, abuse one another by hitting and inflicting emotional and psychological wounds – and they likely do the same to children living with them.

Violence inflicted by adults on each other in their homes is customarily called "domestic violence". Australian researcher Adam Tomison says there is no universally accepted definition of "domestic violence", although a shared understanding "is often assumed". (*Exploring family violence, Australian Institute of Family Studies, winter 2000*)

Until the early 1990s, and the passing of the Domestic Violence Act, 1995, the community and authorities tended to treat domestic violence differently from other forms of assault – that what went on between a couple and their family in their home was their private business.

Now, increasingly, we are looking at "family violence", which reflects a shift towards describing violence in all its forms among family members. The term recognises that violence afflicts the whole family, children in particular.

Children are likely to be physically and emotionally abused in a home where there is violence. Children who see and hear assaults on others in the home are likely to suffer emotional and health problems.

In the year to June 30, 1997, 38,000 children were present during the 30,340 family violence incidents attended by the New Zealand Police – 28,621 were aged under 10 and 9844 were between 10 and 16. (*Police national family violence co-ordinator, internal report [1997]*)

A New Zealand study of 1000 battered women showed that 70 percent of the children also had been abused. Interviewing children, researchers found that almost all could give detailed accounts of violent behaviour that their mother or father never realised they had witnessed.

Battered women are more likely than non-battered women to assault children.

A United States study found that women who were chronically violent to their spouse were also likely to abuse a male child. The same study found that nearly all violent men assaulted their sons. (*National Center for Health Statistics*)

Family violence appears to be an established fact in our communities. Whether it is more prevalent or is being reported more readily than before because we are becoming more aware of it, we don't know. Some researchers in the field believe the level hasn't changed – only the visibility.

Some quick figures:

- In 1998, the latest year for which confirmed figures are available, five children aged 15 and under died from either battering or maltreatment (*NZ Health Information Service*);
- In 1996, health statistics suggest, 209 children were admitted to hospital for treatment of injuries purposely inflicted by other people;
- Maori and Pacific Island peoples show up out of all proportion to their numbers as reported perpetrators and as victims of family violence – roughly one-third;
- In the year to December 31, 2000, the Police recorded 23,566 "domestic disputes" (22,565 in 1999 and 21,297 in 1998);
- Domestic Violence Act offences in the year ending June 30, 2000, totalled 4200, 3864 in 1998/99, and 3323 in 1997/98 (*National Crime Statistics, September 14, 2000*);
- Women's refuges give shelter to more than 17,000 women and their families each year.

Why have our homes become so unsafe? And what can be done about it?

FAMILY VIOLENCE IS A CRIME

Perhaps our starting-point should be to recognise that family violence is a crime. It is not a private matter that is no one else's business.

Family violence is rarely a singular or random event. Research shows that it punctuates the life of a relationship and that it gets worse as it goes along.

Much reported family violence is committed by men against women and children, although women are as likely as men to assault children. A growing number of men say that female violence against them is not treated as seriously as male assaults on women.

Men assaulting their women partners comprised between 86 percent and 98 percent of family violence-related arrests. (*NZ Police, year ending June 30, 1997*)

Not all family violence is physical

Psychological and emotional abuse doesn't leave cuts and bruises and broken bones. But the unseen, emotional damage can be as great and the effects as long-lasting.

Psychological abuse can be caused by repeated put-downs and name-calling, intimidation and harassment that make victims feel bad about themselves. It is likely to feature yelling and threats of physical assaults, threats to leave or threats of suicide.

Looks, actions and expressions might be used to instil fear. Items valuable to the victim might be destroyed or their pets harmed.

Psychological abuse can include mind-game manipulation and control of someone's money, time, vehicle or contact with friends as a way of asserting power over them.

The Domestic Violence Act, 1995, made psychological abuse an offence. Providing victims with a means of protection, the Act defines psychological abuse as "including intimidation, harassment, damage to property, threats of physical, sexual or psychological abuse, (and in relation to a child), abuse causing or allowing the child to witness the physical, sexual or psychological abuse of a person with whom the child has a domestic relationship".

The Office of the Commissioner for Children defines child abuse as:

- physical – all physical injuries to children where there is knowledge that the injury was not accidental, or knowingly not prevented;
- sexual – the use of a child for sexual and/or physical gratification of someone who takes advantage of their power and/or the child's trust;
- neglect – serious deprivation of the necessities of life such as food, shelter, supervision appropriate to their age, and essential physical and medical care;
- emotional – adults' negative attitudes and behaviours that harm a child's emotional and physical development.

Just as some of our young are vulnerable to abuse in the home, so are some of their grandparents.

Age Concern says elder abuse occurs when a person aged 65 or more suffers harmful physical, psychological, sexual, material or social effects caused by the behaviour of another person with whom they have a relationship implying trust.

Elder abuse comes under four categories:

- physical – infliction of physical pain, injury or force;
- psychological – behaviour that causes mental or emotional anguish or fear;
- sexual – sexually abusive and exploitative actions entailing threats, force or the person's inability to give consent;
- financial – the illegal or improper exploitation and/or use of funds or other resources.

THE DOMESTIC VIOLENCE ACT

The Domestic Violence Act, 1995, is the primary legal weapon for fighting family violence.

The Act marked a new era in dealing with family violence when it came into force on July 1, 1996.

It overhauls the Domestic Protection Act, 1982, and sets out how victims of family violence can obtain protection orders.

It amends the Guardianship Act, 1968, tightening its guardianship and custody provisions, giving children greater safety, particularly if allegations of violence are made in custody and access cases.

Protection orders

A protection order is precisely that – a protection order. Issued by a court, it surrounds an applicant with a legal shield from the attentions of the violent person.

The Domestic Violence Act broadens the scope of who can apply for legal protection from domestic violence as well as the behaviour recognised as domestic violence. It sends a clear message that domestic violence is now beyond the pale and that people have the right to be protected from violence in their families and close personal relationships.

Who can apply?

Anyone can, if you and the violent person are or have been:

- in a heterosexual or same-sex relationship;
- family or whanau members;
- flatmates or sharing accommodation;
- in a close personal relationship.

You do not have to have lived together or have had a sexual relationship to be covered.

As well as getting protection from the violent person, you can apply for protection from another person (an associate) whom the violent person encourages to use violence against you.

A protection order automatically covers any children of the applicant's family. You can also ask for the order to cover other people who are in danger from the violent person and their associates because of their relationship with you – for example, adult children, new partners, neighbours, friends and family.

The Act defines as domestic violence:

- Physical abuse – for example, hitting, punching, kicking or in any way assaulting another person.
- Sexual abuse – any unwanted sexual contact.
- Psychological abuse – for example, intimidation, threats, mind games and harassment; damaging property to hurt someone; allowing children to see or hear any domestic violence; controlling someone's money, time, contact with friends or family as a way of having power over them.

A protection order automatically includes non-violence conditions. The violent person must not:

- physically, sexually or psychologically abuse the protected person;
- damage or threaten to damage the protected person's property;
- encourage anyone else to physically, sexually or psychologically abuse or threaten the protected person.

A protection order will include non-contact conditions if the parties are not living together. These are that the violent person must not: go to the home or workplace or onto the property of the protected person without his or her consent; intimidate or harass the protected person; hang around the protected person's neighbourhood or workplace; follow the protected person, phone, write, fax or in any way contact the protected person.

The exceptions to the non-contact conditions are when contact is:

- reasonably necessary in an emergency;
- permitted under a written access and custody agreement;
- permitted under a special condition of the protection order;
- necessary because of an invitation to a family group conference under the Children, Young Persons and their Families Act.

The non-contact conditions of the order are suspended if the protected person agrees to live with the violent person. If they stop living together the non-contact conditions come back into effect without having to reapply to the court. The non-violence conditions apply all the time and are not affected by living together.

A temporary protection order means that the violent person must hand any firearms or weapons to the Police within 24 hours (earlier in some instances). Their firearms licence will be suspended. Once the order is final their firearms licence will be revoked unless the court is satisfied that the protected person will be safe.

A lawyer will ask a person applying for a protection order whether the violent person has any weapons or firearms.

Special conditions can be included in a protection order that are necessary to protect the applicant, such as excluding the violent person from attending the same church as the protected person, or that the violent person must pay the mortgage for a certain period of time, or conditions necessary to ensure safe access to the children.

How to apply for a protection order

Contact a lawyer. Make sure the lawyer specialises in family law and is experienced in domestic violence law. A women's refuge will have a list of experienced domestic violence lawyers.

The lawyer will ask questions to prepare an application asking for a protection order and an affidavit or sworn statement setting out why the applicant needs the order. The lawyer will prepare all the papers. They will be signed by the applicant.

Then the lawyer will get the papers to the Family Court.

Legal Aid is available for protection orders. If the applicant is eligible (depending on income) they can receive free advice and representation from a lawyer. There is no \$50 initial charge or charge on any property to cover the bill.

Even if someone thinks they might not qualify for legal aid, they should still check with a lawyer to be sure.

If legal aid is not available, the lawyer's costs will depend on how much time is entailed and how complicated it is. You could expect to pay from \$400 to \$900.

Ask the lawyer how much it is likely to cost. There are no other costs such as court fees.

If custody and access matters are involved, it definitely pays to see a lawyer.

Someone can apply for a protection order without a lawyer. This could be suggested where a person cannot get legal aid and the application is reasonably straight-forward and children and property are not involved.

Find out whether any community organisations offer a service to help you apply. Contact a women's refuge or community law centre and find out how they can help. Contact the Family Court for copies of the forms and for advice about how to fill in the application forms and what other information is needed.

The documents the court needs are:

- An information sheet.
- A DV2 application form.
- A DV3 affidavit form (an affidavit explains the facts about what has happened and supports the application by explaining why a protection order is needed). The affidavit should contain information such as the type of relationship it is, its length, history of the abuse and a description of any particularly serious or recent incidents of abuse. The affidavit needs to be signed by you and sworn in the presence of a lawyer or court registrar.
- A DV4 form if the address and telephone number are to be kept confidential.
- A DV5 notice to the Police form.

The forms can be handwritten – they just have to be neat and easy to read.

Getting a protection order

An urgent protection order application can be prepared, processed and granted on the same day or at least within 36 hours.

This will be done without notice – meaning, without the other person knowing about the application until after the temporary protection order is made. Such orders are temporary. The other person has three months from the date of the temporary protection order to file a defence to the protection order application.

An undefended temporary order automatically becomes final after three months from the date of the temporary protection order. A final order can be discharged (cancelled) only by a judge.

In most cases a judge will consider the urgent application for a temporary protection order without a court hearing.

An applicant would most likely have to appear in court if the application was made on notice to the other person because the situation was not so urgent or if there was a defended hearing.

If a defence is filed there will be a hearing in the Family Court before a judge. The judge will hear from both parties, then make a decision.

A notice of residential address and request for confidentiality form (DV4) can be completed. This means the courts will act to ensure the violent person cannot find out the protected person's address or phone number from the court documents or the file.

The court must have an address for service where court documents can be delivered. This might be the address of the applicant's lawyer. If the applicant does not have a lawyer, they will need to supply another address where documents can be served.

After the judge has granted the order, the violent person will be served with (given in person) a copy of the protection order by a court bailiff, private service agent or possibly the Police.

The Family Court will send a copy to the Police station nearest to the applicant. The order comes into effect immediately and the Police can be asked to intervene.

The violent person does not have to know about it before it can be used. They just can't be charged with a breach of the order until they have been served.

Once an order has been granted, the violent person has to comply with its conditions. If they don't, they can be charged with breaching the protection order.

A breach of a protection order is a criminal offence. The Police can arrest the violent person and hold them for 24 hours before releasing them on bail. If charged with a breach, the violent person will have to appear in the criminal court.

If convicted, the maximum penalty is six months in prison and a fine up to \$5000. If the order is breached three times in three years, the violent person could go to jail for up to two years, as well as be fined.

Some examples of breaches are:

- ringing work or home;
- coming around to the house;
- sending presents or flowers;
- visiting the children at school;
- threats;
- damage to property;
- physical violence.

In other words, a breach is anything the protection order's conditions prohibit.

It is important to report all breaches to the Police, even what appear to be minor ones. If the Police know about a series of minor breaches it builds up a picture of what is happening. One incident on its own might not look serious enough to take action, but a lot of similar incidents over a time could have a serious effect on the protected person.

Encourage people to keep records of any breaches and also contact their lawyer or women's refuge if the order is breached.

Old domestic protection orders (for example, non-violence and non-molestation orders) that existed before July 1, 1996, automatically became protection orders under the Domestic Violence Act, 1995.

That meant a person with an old order did not have to reapply.

Someone applying for a protection order should also consider applying for orders to give them the right to stay in their home and keep or take some of the furniture and household items.

An occupation order gives the protected person the exclusive right to stay in the family home.

A tenancy order gives the protected person the sole tenancy of the rented house or flat.

An ancillary furniture order can accompany a tenancy or occupation order. This allows the protected person the right to keep particular furniture and household items.

Even if the protected person decides not to apply for an occupation or a tenancy order, they can apply for a furniture order that gives the protected person the right to take with them specified furniture and household items.

The Police can be asked to help the protected person to collect and remove furniture and household goods.

Children and the Domestic Violence Act

The Domestic Violence Act beefed up protection for children.

Children under 17 can now apply for protection orders in their own right through a representative. A child can also be included in their parent's application for a protection order.

The Act aims to keep children safe. If violence is proved, the court will not allow the violent person to have custody or unsupervised access, unless it is satisfied that the children will be safe.

The court can allow supervised access in a safe situation with someone else around. The court will specify when the access can take place. The person granted supervised access will be responsible for any costs entailed. In some areas, Barnardos run supervised access centres. Check to find out if there is a centre in your area.

It is important to tell the school, day-care centre or other caregivers about the protection order so that the violent person cannot have access outside the court-ordered arrangement. It is also important to say exactly who is allowed to visit or collect the children from school or day-care.

If the parents of a child are married, or they were living together when the child was born, both parents have custody rights unless the court says otherwise. Make an application for sole custody if you are a parent who fears your partner will harm you or the children or take the children away.

Your partner will be ordered to attend a stopping violence programme. Occasionally the court might decide there are special reasons for them to be exempt.

A programme is likely to entail sessions of two-three hours, usually in a group, for 30-40 hours.

During the programme participants learn about:

- the nature and effects of domestic violence;
- how the Domestic Violence Act works;
- skills for dealing with conflict in a better way.

Programmes are available free for protected people. It is up to the protected person to choose whether they want to attend a programme. If they don't want to join a programme straight away they could decide to take it up any time within three years. The programmes support protected people to learn to live without violence.

The Police response

The Police have a policy of arresting family violence offenders. Domestic incidents are treated as family violence complaints.

For the Police, "family violence" includes:

"... violence that is either physical, emotional, psychological or sexual. It includes people in all types of relationships; not just married couples, but those in de facto and homosexual relationships, children and other relatives of those directly involved in the abuse, flatmates or other people who share accommodation, and anyone in a close personal relationship. It includes not only violence, but also intimidation or threats of violence, damage to property, and allowing a child to witness the physical, sexual or psychological abuse of a person with whom the child has a domestic relationship."

Police policy recognises that the protection of the victim is priority. Their aim when they are called is to stop the violence, ensure the safety of any children who might be present and organise support for the victims.

Offenders will be held accountable for the violence by bringing them into the criminal justice system. When they investigate a case of family violence, Police will intervene immediately to stop any violence.

Otherwise, they will proceed with standard investigation techniques that include taking photographs to illustrate injuries suffered; having the victim outline the complaint in front of the offender and noting his or her response; having the victim identify the offender and the nature of their relationship; noting the offender's responses; arresting the offender and keeping them in custody.

These procedures are a necessary part of the Police investigation and might mean the victim can be excused from giving evidence in court.

That's the policy, and that's how it is supposed to work.

"We do our very best to put ourselves between the woman and the offender, so he is dealing only with us," Lower Hutt Police family violence co-ordinator Senior-Sergeant Tim Castle says.

"We try to take her out of the equation and proceed with prosecuting her violent partner, whether she complains or not – some women are just too frightened to lay a complaint because they are afraid of what the offender will do to her later."

This contrasts with earlier Police practice of prosecuting only if a complaint was laid.

But some women feel unable to break the cycle, Mr Castle says.

"There's the fear of breaking up the family, the fear of loss of security, sometimes there are pressures from relatives – hers and the offender's. Some women will do anything to keep the family together.

"As a policeman I am constantly amazed at what some women will go through to keep the family together. Some cases go on for years."

The assailant, if a male, will usually be charged with "male assaults female".

“After three of those, he can expect to be a guest of Her Majesty for a while, and you’d expect that he might get the idea that he just can’t keep on doing that and that he should get help. But many come out of prison and they just keep on doing it, picking up where they left off,” he says.

If a victim takes out a protection order, the offender must, by court order, undertake a programme to help them deal with their violence.

Offenders who have breached a protection order, or who are responsible for family violence offences, are arrested, unless exceptional circumstances exist. The arrest is to ensure the victim is made safe and has an opportunity to get help and advice without interference from the offender. The victim will usually be told if the offender is freed from custody.

The Police will check the house for firearms and other weapons. Where there are grounds for applying for a protection order, the Police will consider seizing any firearms or other weapons the offender owns or has access to, and also revoking his or her firearms licence.

If the offender has breached a protection order, any weapons or firearms in their possession or control will be seized.

Once the victim’s safety is established, the Police will normally arrange for help agencies to be called, whatever the hour. In most areas, Women’s Refuge and Victim Support have 24-hour crisis lines that the Police can call. It means that a trained helper will call on the victim immediately to help calm the victim and advise what ongoing support is available.

The Police will take the arrested offender to the local Police station to be charged.

The offender will appear before a judge as soon as practicable. At the first appearance the offender will be asked to plead guilty, not guilty, or enter no plea. If the plea is guilty the judge might sentence immediately or call for a probation or psychiatric report before sentencing. The accused person will be remanded in custody or given bail to wait for the report and a second hearing.

The victim might be called to give evidence at a hearing, although the Police might have enough evidence without the victim having to appear.

If you are in this position, make sure you take a friend or relative for support if you do have to attend.

Court volunteers, Victim Support groups and Women’s Refuge workers also offer practical help.

The offender might be sentenced to supervision – where he or she must report regularly to a probation officer – and sometimes comply with special conditions such as attending a non-violence programme.

Or the penalty could be a suspended sentence, periodic detention, or even a jail term.

Be prepared: the offender, whether it is your partner, flatmate or whoever, might well resent the sentence.

“Domestic violence is unlike any other offence,” Tim Castle says. “With other offences, such as a burglary, the offender comes, takes and goes, and might not be seen again. Or the burglar might not have been seen. Most people don’t have to face their assailant again. But a battered woman does. She’s constantly living with it – the fear, the offender, the pressures, especially the family pressure not to proceed.”

Don't turn a blind eye. . . .

Sometimes we know or suspect what’s happening.

- The woman wearing sunglasses that barely hide the black eye, explaining that she fell. . . .
- The man who, fearing ridicule from his mates or co-workers, cannot confide that the burns on his arms came from his wife attacking him with a hot iron. . . .
- The child with welts and bruises all over their body. . . .
- The flatmate who is everyone else’s target for teasing that is malicious rather than just fun. . . .
- The elderly woman who seems to have a lot of “falls” when a particular relative visits. . . .

Victims can be good at hiding the signs of violence in their homes. They might be ashamed, scared or too proud to say anything.

Clues can be picked up from:

- non-specific complaints;
- depression that can’t be explained;
- taking more drugs or alcohol than seems normal;
- bruising or difficulty moving;
- excessive concern with housework or the relationship;
- tiredness;
- isolation from people close to them;
- making last-minute excuses not to see people closer to them.

The signs of abuse in children can include:

- moodiness, irritability, excessive crying;
- loss of appetite and change in eating habits;
- changes in behaviour at school or towards other people, regularly missing school;
- personality changes;
- dirty appearance, wearing clothes not adequate for the climate;
- withdrawing into themselves;
- being afraid to go home, running away;
- undernourished and not taken to the doctor when ill;
- inability to concentrate;
- having unexplained fears – of the dark, of being alone, of specific people (relatives and friends), and of places such as the toilet or bedroom;
- sleep disturbances – nightmares, fear of going to bed or sleeping alone;
- being unsupervised for long spells.

Violence against children can also be indicated by physical signs – bruises, burns, fractures, scalds or grazes. The injuries might be accidental. Some active children just seem to collect cuts, grazes and bruises and, occasionally, a broken limb.

But if a child seems to be hurt often, the injuries are getting more serious, or there is something odd about them, then it could be abuse.

Emotional abuse is more difficult to see, and because emotional abuse doesn't wear bruises or broken bones, we might not treat it as seriously as we do physical violence.

Emotionally abused children might:

- tend to believe they're bad and worthless;
- have problems getting on with others or be hard to live with;
- "shut off" or become too good;
- have difficulty controlling their anger.

Sexually abused children might:

- complain of genital pain or irritation, or get infections and urinary problems;
- start doing something they've grown out of, such as crying, wetting or soiling their pants, or being "clingy";
- indulge in inappropriate sexual play;
- give a coded message, or say straight out that they're being abused.

VICTIMS NOT JUST WOMEN AND CHILDREN

Violence inflicted on men by women? It's an often untold story. Men sometimes feel as if they can't talk about it when it happens and they can feel helpless to do anything because it might not be believed. However, an increasing number of New Zealand males, some represented by an increasingly vocal network of men's groups, insist that men get abused in relationships, too.

They demand that society acknowledge violence against them by the women in their lives.

Indeed, the Domestic Violence Act, 1995, gives them the same protection that it does women. Men can swear an affidavit and they can apply for a protection order against a violent partner.

Female violence, like abuse by males, is also controlling. It causes physical, sexual or psychological damage or causes a man to live in fear.

Physical and sexual violence are the most obvious forms of assault. Pushing, biting, hitting, punching and using a weapon are all forms of violence. Forcing someone to participate in sex is violence. Threats are a form of violence. Other forms of violence used by women include:

- unsafe driving;
- destroying possessions;
- insulting or humiliating him publicly;
- lying;
- making him think he's crazy or stupid;
- controlling his money;
- isolating him from friends or family;
- hurting children or pets;
- blackmail;
- treating him like a servant;
- threatening murder or suicide;
- drugging him;
- threatening to betray secrets in front of employers or family;
- creating a sense of impending punishment.

Men often say these are the most insidious forms of violence and abuse because they are difficult to explain and are often regarded as "ordinary relationship problems".

If you have been in a violent relationship you might have some of the following feelings:

- afraid to tell anyone, depressed or humiliated;
- afraid you have failed as a lover;
- furious that she could do or say what she did;
- confused because sometimes she is loving and kind;
- guilty about leaving her or scared of coping alone;
- frustrated and sad because you tried everything;
- afraid of continued violence if you leave;
- panicked that you might lose your male identity outside a relationship;
- worried about your financial security;
- made to believe that you deserved it.

It might be helpful to look at some of the ways you've coped until now:

- you have been careful about what you say, when you say things and how you say them;
- you have tried to talk to her about her stress, drug use or moods;
- you have given up doing anything likely to upset her;
- you adapt your behaviour to what she says she wants;
- you tried to make agreements or set boundaries.

Men should never think their partner's violence is their fault. Just as men make a choice to be violent against their partners, and maybe the children in the relationship, so do women. She chooses whether she will slap a man's face because he said something she didn't like. She chooses whether she will lash out and scream at the family because she is feeling unwell.

If men's violence against women is unacceptable and without excuse, shouldn't women's be?

All violence has damaging consequences. A man's belief in his worth and his sense of having rights and choices becomes eroded by constant abuse. There are many common beliefs about why women choose to be violent: "she had a sad or traumatic childhood", "she drinks or uses drugs", "she has

trouble expressing her feelings”, “she is oppressed as a woman”, “she can't control her anger”, “something about you drives her to violence”.

These are excuses. We all experience stress, trauma, anger and fear, but a violent woman chooses to use violence to control and get her own way – just as a violent man does. “I never believed she'd abuse me.”

Many men don't realise that a woman's violent behaviour to them is domestic violence. They might not have believed until recently that women's behaviour, such as described above, could be called violent. If a man feels scared and unsafe in his partner's presence something is wrong. He is the best judge of how safe he is.

Some men simply don't want to admit that they are afraid of their partner – somehow it doesn't seem “manly” for a Kiwi bloke to admit that he lives with someone who is violent to him.

Police officers acknowledge that men probably don't report violence when they otherwise could.

How to help

People can help by:

- supporting the right of all couples to live safely;
- becoming informed about violence within relationships;
- passing comment if you witness behaviour you believe is abusive or violent;
- listening to, believing, and supporting a man who confides in you;
- ask “how can I help?” or “what can you do to make yourself safer?”

THE SUFFERING CHILDREN

New Zealanders have been horrified in recent years by several widely publicised accounts of children dying in gruesome circumstances that almost defy imagining.

There have been prolonged, lethal floggings, burns, scaldings – even twisting a child like wringing out a cloth.

In 1998 five children aged 15 and under were killed either by battering or maltreatment. In 1997 seven infants aged under two were killed.

But the death of a four-year-old in 1999 was a catalyst for action. . . .

James's story

Riri-o-te-Rangi (James) Whakaruru was born on June 13, 1994. He died on April 4, 1999. His mother's partner had punched, kicked, and beaten him to death because he would not call the man "daddy".

This little boy's death, says the Commissioner for Children, Roger McClay, highlighted several failures in New Zealand's child protection set-up.

The commissioner's investigation – the first into the violent death of a child – found that information concerning James, his mother and her partner was fragmented and that people in various agencies didn't act or share information with each other when they should have.

The commissioner's report of his investigation sparked a great deal of public comment about child abuse in New Zealand.

The commissioner told a family violence conference at Cyprus in November 2000 that the investigation was set up to examine how James died, despite the many agencies involved with the boy and his family, and to consider what needed to change so that family violence was effectively responded to.

The investigation reviewed the circumstances of one child, and the response of agencies who had contact with him and who had an opportunity to notice and take steps to stop the harm being done to him.

"... this investigation found that there were weaknesses at every point of community contact with James," Mr McClay said.

James's mother began a relationship with Ben Haerewa when the child was about a year old. James was seen by two general practitioners for facial injuries when aged 15 months (twice) and at 18 months. The Police had been called to a domestic violence incident about then, but James's mother did not want to lay a complaint.

"An effective intervention at this time could have altered the events which were to come later," the commissioner said.

On July 18, 1996, aged 2, James was admitted to hospital with serious injuries when he and his mother were assaulted. The hospital reported the assault on James to the Police and Ben Haerewa was charged, convicted and eventually sentenced.

On February 11, 1997, while Ben Haerewa was in prison and custody of James was being contested, James cut his chin in an alleged fall down steps.

"The hospital emergency department did not access existing hospital records regarding the previous non-accidental injury. They did not advise Child, Youth and Family of this incident," the commissioner's report says.

Hospital records show that James was probably in his mother's care, while Child, Youth and Family believed he was with his grandmother.

"If this health information had been shared within the hospital and with CYF, a strong indicator of risk would have been apparent."

Ben Haerewa was released from prison on March 3, 1997. Conditions of his release were not passed to the Community Probation Service.

The Family Court granted a temporary protection order for James under the Domestic Violence Act, 1995. The court did not tell the Department of Corrections, who was supervising Ben Haerewa on his release from prison, that he had had a protection order granted against him.

James, his mother, and Ben Haerewa were absent from view between April 1997–May 1998. No agency records show any contact with James.

Between May 1998 and his death in April 1999, James suffered two significant injuries. Neither was reported to Child, Youth and Family or the Police.

On May 9, 1998, James was in hospital for a tear to his penis, which required emergency surgery. The hospital recorded two different explanations given by family and patient for this injury.

"Neither the conflicting explanations, nor the medical history of non-accidental injury, seemed to alert any emergency or specialist staff to potential harm," the commissioner said.

On March 20, 1999, James's mother sought help from an emergency pharmacy for a deep laceration to James's lip. She was taken to a GP who had had no previous family contact. She returned to the doctor again the next day, for no obvious reason, but did not return for the sutures to be removed. The doctor passed information about this incident to the practice where he believed the family was known, "but they said they had not seen James for 'a very long time'."

James died shortly after arrival at the hospital emergency department on April 4, 1999. He had extensive internal injuries and tissue damage consistent with one – or more likely several – prolonged beatings, which had caused his death.

James had been seen 40 times by health practitioners – four times to the hospital emergency department, two admissions and one outpatient clinic, three face-to-face Plunket contacts, and 30 visits to general practitioners at four practices.

"Collectively the health sector had available a telling picture of James's circumstances," the commissioner said. "This picture was never put together because of poor communication between practitioners."

The commissioner went on to say:

"James Whakaruru was badly let down by the state.

"It is true that it was his mother's partner who punched, kicked and bashed James to death during that Easter weekend [1999]. It is, however, also true, that the state did not protect him in the way that it should have during the five years of his life."

The commissioner made several recommendations to the Government, many of which have been implemented by the agencies concerned. Others are following.

According to a Government report, the commissioner found:

- A fragmented approach to the rights of the child, lacking a "global" policy or plan of action concerning children and their rights.
- The approach to care and protection was fragmented. Agencies did not collaborate and share information with one another, and they didn't follow the rules.
- The agencies failed to engage with families and communities, nor engage culturally appropriate services, despite the Government's commitment to the Treaty of Waitangi.
- Families, communities and professionals did not recognise and report incidents of child abuse and neglect.
- Assessments of risk factors were incomplete or flawed, and some people were confused over thresholds for statutory intervention.
- Professionals were hindered by a lack of information bases, including a central database for recording health information.
- Flaws in legislation or its use to help children.

Reporting guidelines for doctors

In May 2001 the Ministry of Health issued a set of protocols, or guidelines, for general practitioners to follow if they encountered abuse, or suspected it, in their child patients.

The guidelines were developed by the Ministry of Health and the Department of Child, Youth and Family Services, with input from a group of Royal New Zealand College of General Practitioners.

The main guiding principles are that the child's safety is paramount; that an early referral to the appropriate authority is essential; and that the Department of Child, Youth and Family Services and/or the Police investigate and interview the child and family – that's not the GP's job.

There are no legal barriers to referring a child to the proper authority.

Key points for GPs are:

- keep an open mind to the possibility of child abuse;
- look for signs of abuse and neglect and adequately document;
- refer to an appropriate authority;
- seek feedback about the child's progress from the agency the doctor made the referral to;
- keep up the relationship with the child and family, where possible;
- get support for themselves.

Doctors should note and keep evidence of child abuse. The guidelines include child diagrams on which doctors can note injuries that might be the result of abuse.

Children who have been abused, or show signs of possibly having been, should be referred to specialists such as paediatricians or Child, Youth and Family workers.

The history and clinical signs of injury should be adequately documented.

Where sexual abuse is a possibility, Doctors for Sexual Abuse Care will be contacted by Child, Youth and Family or the Police.

If in doubt, doctors should tell someone such as an experienced colleague, paediatrician, Youth Health Services or Child, Youth and Family, or some other agency for social support.

Doctors are urged to look for signs that might be consistent with a child's being abused.

These include:

- history inconsistent with the injury presented;
- delay in seeking help;
- past abuse or family violence;
- disclosure by the child;
- exposure to family violence, pornography, alcohol or drug abuse;
- parents abused as child (or children);
- inappropriate or inconsistent discipline (especially thrashings or any physical punishment of babies);
- terrorising, humiliating or oppressing;
- neglecting the child;
- actively avoiding care or shopping around for care (frequent changes of address).

Physical signs could include:

- multiple injuries of different ages, including welts, cuts bruises;
- scalds and burns;
- pregnancy;
- poor hygiene;
- fractures.

Behavioural and developmental signs include:

- aggression;
- anxiety and regression;
- self-mutilation;
- suicidal thoughts/plans;
- overly responsible behaviour;
- fear, sadness, defiance.

James Whakaruru, in his four years of life, was seen 40 times by health practitioners – hospital emergency departments four times, two admissions and one outpatient clinic, three face-to-face Plunket contacts, and 30 visits to GPs in four practices.

Reporting child abuse

Anyone can report suspected child abuse in this country and people who call Child, Youth and Family can ask to remain anonymous. Even if an investigation results in no abuse being found the law will protect you if you disclosed or supplied information in good faith.

Fear of being wrong is the single most common reason people might decide not to act. People feel this way because they might be:

- afraid of repercussions;
- afraid of being thought insensitive;
- afraid of breaking a confidence;
- afraid of being disloyal.

One of the best ways to overcome this fear is to equip ourselves with good knowledge and to discuss concerns early with an appropriate person.

You can use the Child, Youth and Family freephone – 0508 326 459 – to sound out your concerns.

If you are concerned that a child or young person is being abused, remember that their safety and well-being comes first.

If you suspect abuse:

- Look for signs that abuse has occurred – these can be as obvious as a child or young person telling you that something has occurred, or physical signs of bruising or discomfort. Some signs are less obvious, and if you would like more information contact your local Child, Youth and Family office.

- Make and keep notes. What are you seeing and hearing? What are the times, dates and places?. Notes will help you clarify your concerns and be a ready reference for you to talk to a social worker with.

Contact a social worker at the national call centre for Child, Youth and Family. They are available on freephone 0508 326 459. Call into your local Child, Youth and Family office if you do not have a phone.

When you are reporting a concern, Child, Youth and Family will need to know as much as possible about the situation. Useful details include the name, age and ethnicity of the child or young person, the address where the child or young person can be found, and as much about the abuse or your concerns as possible.

If you witness an incident, or have immediate serious concerns that a child is being abused, you can contact the Police immediately. Dial 111, and remember to give the operator exact address details of where you are or where the abuse is occurring – your locality might not be the only one with a King Street.

Such precise details could be crucial in saving a life.

You can expect to be informed of the outcome of the notification, unless it is clearly impractical or undesirable to do so.

Everyone has a duty to help keep our children safe. There are many ways to help children and families. You can offer support, offer to mind the children, share time over a cup of coffee, or suggest community services that might be of help.

The frightened little witnesses

Children and babies are often invisible to adults in violent situations, and to adults who come to help. Every year, thousands of New Zealand children are seriously affected by domestic violence.

Adults often hope that children don't realise that their mothers are being abused (“the children were asleep”, “they were outside playing”, “too little to understand” . . .)

Studies show that children can often give detailed descriptions of the abuse.

Men and women abuse children. Women abused by their male partner might in turn abuse their children.

Children who are frightened and traumatised suffer from health, development, and emotional problems. Trauma affects children's brain development greatly. Chronic anxiety creates chemicals in their brains that interfere with their ability to learn.

Children's intellectual, emotional and psychological ability is shaped by what they see, hear, and how they make sense of it. Being abused, listening to it or hearing it, prevents them realising their potential as adults.

A New Zealand study found that 75 percent of children in women's refuges who had witnessed the abuse of their mother showed behavioural problems severe enough to require specialist help.

If a woman is beaten when she is pregnant, then the risk to the child of being beaten after it is born is greatly increased.

Children and youth who have been abused or neglected at home are more vulnerable to other types of abuse, especially sexual abuse.

Psychological and verbal abuse also damage children. Effects include acute feelings of loss, anger, sadness, confusion, guilt, shock, fear, insecurity and risk of self-mutilation.

Some experts say that children will cope in one of four ways:

- Living in secret, withdrawing into a fantasy world, apparently unaware of what's going on around them. Maybe overly compliant, quiet, or high-achieving at school.
- Conflict of loyalties – they feel they have to choose which parent to support or that they can love only one parent.
- Living in terror and fear with no stability or certainty, chronic long-term anxiety, depression, bed-wetting, going back to younger behaviour.
- Aggressive and bullying, behaviour problems and failure at school, sometimes diagnosed with attention deficit hyperactivity disorder (ADHD).

Boys who witness their mother being beaten frequently go on to abuse their women partners.

Some girls assume that male violence is a normal part of a relationship.

What we can do

If the violence is serious or imminent, report it to the Police or the Department of Child Youth and Family immediately. Also:

- Make sure the child's primary caregiver is safe from violence and abuse.

- Consider the needs of children when responding to domestic violence.
- When violence is present, assume that it is affecting children and whanau nearby.
- Assure children that violence used by adults is not the child's fault.
- Recognise that domestic violence abuse and neglect are often accompanied by sexual abuse, which also requires a specialist response.
- Find out about the specialised children's services available in your area.
- Learn about the effects of trauma on children.
- Listen carefully to children's experience – recognise that it is real for them.
- Recognise that with careful, consistent and skilled help, children can recover from the effects of abuse.

HELPING FAMILIES BEFORE IT GETS TO VIOLENCE

Family Start

So often the ambulance at the bottom of the cliff is all that's left to pick up the casualties of violent warfare in the home.

Since the early 1990s, governments and various research and social agencies have realised that a better approach to breaking the violence cycle – in which violence passes from generation to generation – is to show families a better way.

The Family Start early intervention programme is one such effort, and might prove to make a lasting difference. It is funded by the Department of Child, Youth and Family Services, Ministry of Health and the Early Childhood Development Service, and is part of the wider Strengthening Families programme. Family Start is home-based, free and confidential. It provides each family/whanau with a support worker who helps members to work out how to meet goals and needs unique to them.

Family Start is aimed at improving the health, the ability to learn and the well-being of children and whanau/families.

It promotes family strengths, confidence and independence. The programme is not a “solution-buster” – in other words, the support worker doesn't ride in with all the bright ideas and take over.

Family Start includes the Parents as First Teachers “Born to learn” parent education programme, and it focuses on strengthening family supports, including access to other services.

Family Start is offered to a mother in the second six months of her pregnancy, and until her baby is six months old. If the family accepts Family Start help, then the support worker will be with them for three to five years.

Families can be referred for Family Start by doctors, lead maternity carers such as midwives, child health services, Plunket Society or hospital maternity services. The family/whanau must consent to the referral first.

The programme is aimed at:

- solo or otherwise unsupported parents;
- mothers who have had little or no care during their pregnancy;
- young mums;
- those with mental ill-health;
- substance abusers;
- families with a history of abuse;
- people and families with relationship problems;
- people and families on a low income;
- people and families without essential resources;
- those who frequently change addresses;
- women who, for various reasons, know little about motherhood;
- families with sudden infant death syndrome factors – eg., smoking during pregnancy, little or no breast-feeding, babies with a low birth weight.

Family Start was first tried out in Whangarei, west Auckland and Rotorua, starting in December 1998. Thirteen more providers of the service were being added in 2000-2001. They are at Hamilton, Hastings, Kaitaia, Gisborne, Nelson, Masterton, Invercargill, Dunedin, Whakatane, Kawerau, Horowhenua, Wanganui and Porirua.

In Whangarei, Te Hau Ora o te Tai Tokerau and the Plunket Society combined to form Ma Te Whanau Timata Trust.

Trust workers found that at first whanau members often didn't want to be referred to Family Start because they thought that it was just another monitoring agency. It often wasn't until the third visit that families began to see that Family Start might be different for them.

At the first visit to a whanau, trust workers talk about the programme and do an assessment based on the history, needs and agencies' involvement with the family. This helps to match whanau worker and family.

At the second visit the selected whanau worker meets the family.

By the third visit the worker is analysing the family's needs and helping them work out how they can best be met.

Not “solution-busters”, whanau workers help the family to recognise their strength, and to build on those, so that eventually the family can take responsibility for their own development and stand on their own feet.

Whanau workers have experience and skills in such areas as family violence, financial management, education, and relationship counselling.

The trust also helps groups of families, bringing them together for education and awareness workshops. Gatherings before Christmas help families to make cheap or no-cost gifts and food.

For Maori children and their parents

Atawhaingia Te Pa Harakeke: nurture the whanau, starts with the premise that all parents and whanau want the best for themselves and for their children.

They want to see their kids growing up healthy and strong, enjoying childhood, going to school, learning what they need to learn to that they can live responsible and productive lives.

Atawhaingia Te Pa Harakeke looks to traditional Maori customs and values as an available source of a wealth of positive guidance. These tikanga are capable of assisting whanau to develop caring and nurturing homes for their children.

Atawhaingia Te Pa Harakeke gives concrete expression to these cultural practices, made up of two distinct yet connected strands of learning: Hakorotanga for parents; and He Taonga Te Mokopuna for young children.

Hakorotanga provides practical ideas that all parents can use to achieve the best possible results for their whanau. Often the missing ingredient to success is merely knowledge, understanding or a skill to help create the right climate in the home.

He Taonga Te Mokopuna helps children to develop ways to keep themselves safe. It also requires whanau and other caregivers to build safety nets that provide assurance and support in turn to the children. This enables the whole community, including the children, to recognise unsafe situations, and actively safeguard against them.

Atawhaingia Te Pa Harakeke: nurture the whanau, was devised within Early Childhood Development, and has been trialled in prisons and on marae. It was launched by Associate Minister of Maori Affairs Tariana Turia on April 3, 2001.

She was concerned about the media image of Maori as a people with the propensity for violence.

She was concerned about the increasing number of young, single, Maori mothers “who tell me that they are scared that they, as Maori mothers of Maori children, are targeted as being ‘at risk’ and raising children who will be ‘at risk’.”

“I am also concerned that Maori males are over-represented at every stage of the criminal justice process and that Maori women are increasingly becoming incarcerated.

“In a speech to Community Corrections . . . I referred to the report by [former Commissioner of Police] Peter Doone that: ‘Criminal justice data shows that Maori are 3.3 times more likely to be apprehended for a criminal offence than non-Maori. They are more likely to be prosecuted, more likely to be convicted and more likely to be sentenced to imprisonment. While Maori make up 14 percent of the general population, Maori make up 51 percent of the prison population’.”

Maori needed to look toward the solutions and interventions that would avert violence and the social, historical and economic conditions that bred violence, she said.

“I would also like to point out that very little attention is given to Maori male and female caregivers who, despite the hardships they endure, continue to provide for, love, honour and respect their children.”

Atawhaingia Te Pa Harakeke: nurture the whanau provides opportunities for Maori “to reaffirm, reclaim and transmit our knowledge, faith and ability to care for one another, learn about and maintain our traditional practices, and determine our future and the future of our mokopuna”.

It does not judge nor lay blame. It “acknowledges the pain of the past, both individual and collective, and the determinants of this pain, and provide the knowledge and tools, interventions and approaches, which help heal pains carried from the past and enable whanau to move into the future with confidence – free from violence and the threats of violence”.

How am I doing?

Being a parent is a tough job. No one else can be as frustrating as our own kids. Children often have a knack of getting at us when we’re feeling our worst or our weakest. So everyone has bad days. And some days our feelings towards our children might not be called loving.

Parents sometimes are under a lot of stress

And sometimes when we react, like out in public, it seems as if half the world sees it and silently passes some sort of finger-pointing judgment.

Maybe:

- You gave up an interesting job and now find yourself tied to your home and a demanding baby or toddler. And the most interesting conversation you’ve had all day was those brief, banal moments

with the supermarket checkout operator who asked you how your day has been and wasn't interested in your reply.

- You miss your work friends and seem to have lost your identity.
- You have taken a new partner – and didn't realise what it would be like taking on her/his children as well.
- You're unemployed or a solo parent, not getting much money or support.
- Your teenage children are making life difficult by arguing with you and wanting to make their own decisions.
- You have to work long hours and you are tired and cross when you get home, and the kids pick that exact moment to play up.
- You find yourself resenting things you can't do because of the children.

When resentful and angry feelings pile up on top of a stressful life, you might find yourself saying and doing hurtful things to your children. You might even use the same punishments that you hated when your parents used them on you.

If all that is happening, you need to get help.

How can you tell?

Well, see how many times you answer “yes” to any of the following questions:

- Do you feel anxious, get frustrated and angry when the baby cries?
- Do you resent your kids and wish sometimes that you had never had them?
- Do you think your child is deliberately trying to annoy you when he or she refuses to eat or makes a mess?
- Do you think your child is deliberately trying to make work for you when he or she refuses to use the toilet or soils a nappy?
- Is one or more of your children especially naughty or difficult to manage?
- Do you think your partner might be saying or doing hurtful things to your children?
- Have you a child who wasn't wanted and you don't really like him or her very much?
- Are there times when you feel you can't cope alone and have no-one to turn to?
- Do you feel that your children are too demanding, especially when you are tired?
- Do you resent being left to mind someone else's kids?
- Do you ever smack or shake a baby or toddler to try to make the child stop crying?
- Do you ever, when you are tired and frustrated, throw a crying child back into the cot?
- Do you leave your children alone or with someone else for long periods of time just to get away from them?
- Do you feel angry when your children fail to measure up to your expectations?
- Do you let your children stay up late because it's easier to let them fall asleep in front of the TV than try to get them to bed when they don't want to go?
- Do you yell and lash out at your children when you are under stress?
- As a last resort do you give children drugs or alcohol to put them to sleep and give you a bit of peace?
- Have you ever burnt or scalded a child deliberately?
- Do you ever hit with a belt or cord and leave marks?
- Do you watch your partner hurt your children and do nothing about it because you are frightened?
- Do you let your children be out for long periods, especially at night, when you don't know where they are or who they are with?
- Do you sometimes withhold food or love from your child as punishment?

If you answered “yes” to some of these questions, please get help NOW.

If you know someone else who is hurting or neglecting their children, try to persuade them to get help.

If they refuse and a child is being hurt or abused, please contact your local office of the Child, Youth and Family Service and tell them about it.

Helping to keep our children safe

KOS (Keeping Ourselves Safe) is a positive personal safety programme aimed at giving children and young people the skills to cope with situations that might entail abuse. It will help them keep themselves safe when they meet other people.

KOS was developed in response to an increased awareness and concern among teachers and Police for young people to be protected from abuse. The programme was written by the New Zealand Police and teachers, in consultation with many community groups.

KOS is for school children from junior primary to senior secondary. Different programmes have been prepared so that at each level of their schooling students learn new skills to keep safe with other people.

A local Police education officer introduces KOS to your school and helps teachers prepare for teaching. The Police provide all the teaching materials the school needs. The teacher then takes the lessons in class.

This teacher is the person most likely to notice a student who needs help. The Police education officer might be invited to come in for some lessons.

What happens if a young person discloses abuse?

The school should have a policy setting out how reports of abuse will be handled. You should ask to see this policy so that you know what will happen if information about abuse comes to notice in your school.

If you want more information about KOS your child's school will hold a parents' meeting to consult and inform you about the programme. The Police education officer will probably attend this meeting. You will see an introductory video and the resources that are used as part of the programme. You will have the opportunity to ask any questions you have. You could also contact the school principal if you want to talk further.

Additional pamphlets about child abuse will also be available from the school.

The success of Keeping Ourselves Safe in your school requires the full participation of young people, teachers, parents and whanau.

Sexual abuse

Sexual abuse is someone touching you or making you touch them in a way that makes you feel "yucky".

It could be when someone older than you touches your private parts (genitals) in a way that makes you feel uneasy. It could also be when someone older than you makes you touch their genitals, or when they show you pictures or movies that make you feel uncomfortable.

If you are in immediate danger, phone the Police on 111. Remember to give the operator exact address details of where you are or where the abuse is occurring – that's crucial.

The law protects children from abuse.

There are lots of things that you can do if someone is touching you in a way that makes you feel uncomfortable. One of the most powerful things you can do is tell an adult you trust about what is happening.

Remember – if the person you first tell doesn't do anything keep on telling until someone else does. Sometimes it is hard to tell someone in your family if it is also a family member who is touching you.

The law protects you from sexual abuse by people in your family, as well as from everyone else. It is not OK for someone in your family to touch you sexually.

Here is a list of people you could tell:

- your mum;
- an aunty;
- your teacher;
- a health nurse;
- your best friend's mother;
- your school social worker;
- school counsellor;
- the Police (phone 111);
- your doctor;
- Department of Child, Youth and Family Services;
- somebody at Rape Crisis.

Remember, you might need to tell more than one of these people if the person you tell doesn't do anything.

The adults you tell should help by trying to make the abuse stop. It is their job to protect you. Adults can phone Rape Crisis or any other help agency to find out what they can do about it.

Report it to the Police

It is against the law to rape, sexually abuse, sexually assault or even to attempt to rape any man or woman. You have the right to report sexual assault to the Police.

In New Zealand there is no statute of limitations. That means you can tell the Police about what happened to you straight away or many years later.

If you report the assault later rather than sooner, the Police sometimes have a hard time finding evidence (physical evidence or witnesses testimonies).

If the Police don't have enough evidence to support your case in court, they might be unable to take the offender to court. Sometimes that might seem as if the Police don't believe you.

For this and other reasons you might like to have a support person from a sexual assault agency with you when reporting the crime (both straight after the assault or months/years later).

These people know all about the Police procedures and can help support you through the reporting and court processes.

If you have concerns about the effect of the rape or sexual abuse on your body, it can be helpful to have a physical check-up to set your mind at rest. There is a group of doctors throughout New Zealand called Doctors for Sexual Abuse Care (DSAC). They have had training working with survivors of rape and sexual abuse.

These doctors are available to people who have recently been raped/sexually abused, as well as to people who have been raped or abused a long time ago.

DSAC doctors also do the medical examinations for the Police to gather any evidence left on the victim after the assault.

Our bodies hold all sorts of evidence after a sexual assault, and this evidence is often able to be collected up to seven days after the rape/abuse. If the offender used a condom during the rape, other evidence is still often available.

If you report rape/abuse to the Police within seven days of the attack they will organise for you to visit a DSAC doctor.

During any physical examination you can stop it, even if just for a break. The doctor should explain everything to you at the beginning of the consultation. If you have any questions, the doctor should stop and answer them for you in a way that you can understand.

THOSE WHO CAN HELP

New Zealanders are well served by an array of people and agencies willing to help those in need. These groups can usually be found in the Personal Help Services section at the front of your phone book, through doctors and other health professionals, church social services, word-of-mouth social contacts, and agencies such as your local Citizens Advice Bureau. The following details some of the more prominent ones.

Women's Refuge

New Zealand has 51 refuges throughout the country providing safe houses for 17,000 women and their children annually.

Most refuges can be found listed in the phone book, or may be contacted through the Police or a citizens advice bureau. Nearly all have a crisis phone line. Many refuges exist solely for Maori women; others are for Pacific Island or Asian women.

Refuges provide a warm and safe place for women and children in need so they can start their lives over again. Some women stay for a night, others for several months while they decide what to do.

They also provide a listening ear and advice if you need to talk to someone, and can help if you wish to stay in your home or your relationship. Every refuge provides 24-hours-a-day support, information and safe accommodation. Most have a 24-hour telephone counselling service.

Women's refuge recognises that the needs and methods of dealing with Maori women and their whanau differ from those of Pakeha women.

Refuges also recognise that abuse occurs in lesbian relationships, and has appropriate counselling and support services.

Once you are safe in a refuge, the next most important step is counselling. It is critical for all members of the family – both partners and the children.

If you have an abusive partner, you need counselling:

- to have a safe place to talk through your problems and make decisions;
- to learn to feel good about yourself;
- to learn how not to lean on your partner for support t they're not giving to you anyway;
- to learn how to command respect so that neither your partner nor anyone else feels they will get away with mistreating you.

Women's refuges put women in touch with lawyers, doctors, counsellors and other appropriate community groups working in family violence. For women dealing with the Police and courts, support and advocacy is offered. Help with finding alternative housing is provided for women and children unable to return to their home.

Victim Support

Victim Support is an organisation that offers immediate help for people affected by crime, including family violence. There are more than 1600 trained victim support volunteers in 77 local groups, often located in Police stations throughout the country. They offer practical advice and emotional support 24 hours a day, seven days a week. Victim Support will make sure victims get support and access to other agencies such as a women's refuge. They are often the link between Police and the helping agencies.

Citizens Advice Bureau

There are 91 citizens advice bureaux throughout New Zealand. They can call on an extensive database of information and local support. Citizens Advice Bureau will:

- give advice about your rights;
- give you referrals and contacts for local help agencies;
- provide information and help in getting protection orders;
- provide information about emergency accommodation;
- give confidential support to talk things over and look at options available;
- find free legal advice, or refer to a local lawyer;
- provide other information, such as welfare benefits, housing, budgeting.

Relationship Services

Relationship Services (formerly Marriage Guidance) works with people to change their relationship for the better through counselling. It works on the premise that only you can make the necessary changes and only if you have a will to make the change.

Relationship Services will:

- Make the safety of you and your children the priority. Your counsellor knows about support services and legal help for you.
- See you alone so you can work out what you want to do.
- Help you to understand how violence is used to maintain power and control.
- Respect your feelings and help you build up your self-confidence.
- Help you separate from your partner, if that's what you want. You decide whether you will do this in separate or joint counselling sessions.
- Help you to deal with the hassles and pain of separation and talk about how that is affecting your children.
- Help you and your partner work at reconciliation if that's what you decide.

Other helpers:

- Support for Sexually Abused
- Rape Crisis
- Women's support groups and women's centres
- National Network of Stopping Violence Services
- men's groups
- Stopping Violence Services (men's non-violence programmes and support groups for women with abusive partners or ex-partners)
- Men for Change Inc
- Lifeline
- Samaritans
- Parentline
- Youthline
- Church social services agencies
- Iwi social services