



Family Violence and Sexual Violence Work Programme Update

July 2019

Nau mai, haere mai. This edition of the Joint Venture newsletter is dedicated to the new family violence laws, taking effect on 1 July.



New family violence laws prioritise safety

New family violence laws take effect today, 1 July 2019.

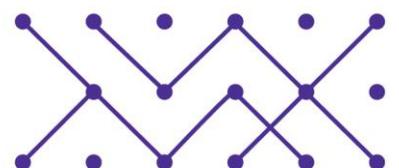
The new laws: the Family Violence (Amendments) Act 2018 and the Family Violence Act 2018 improve the legislative framework for addressing family violence by giving priority to the safety of victims, including children, and preventing perpetrators from inflicting family violence.

The law took effect in two phases. Phase one (3 December 2018) strengthened the criminal law by:

- introducing three new offences (strangulation, coercion to marry and assault on a family member)
- making victim safety the primary consideration in bail decisions, and
- making it easier for complainants to give evidence by video recording.

Phase two changes (1 July 2019) include those in the Family Violence Act and the Family Violence (Amendments) Act, which strengthen family law by:

- modernising the [definition of family violence](#)
- providing [principles to guide decision-making](#)
- [improving the visibility of family violence in the justice system](#) : section 16A of the Criminal Procedure Act 2011





- naming [Family Violence Agencies](#) and removing legal barriers to [information sharing](#) between agencies
- [extending Police Safety Orders](#) and increasing support for the bound person
- improving access to Protection Orders, Property Orders and Safety Programmes
- [protecting victims from offenders on remand](#): sections 168A and 168B, Criminal Procedure Act 2011

**TOGETHER WE CAN
END FAMILY VIOLENCE.**

THE TIME IS NOW.

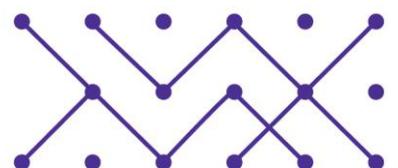
Visit justice.govt.nz/family-violence

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The new law replaces the term ‘domestic violence’ with ‘family violence’ to reflect that violence happens in a range of intimate and family relationships both inside and outside the home and that it is not a ‘domestic’ or private matter. The definition is also expanded to include coercive or controlling behaviour. New examples of family violence have been added:

- Abusing pets or threatening to abuse pets or animals of importance to a person.
- Dowry abuse, which is when violence occurs around whether dowry is given, how it is given, or how much it is.
- Withholding medicine or medical equipment.

The meaning of ‘family relationship’ in the Act has been expanded to clarify people in a care-carer relationship may be included. This means that a carer who is in a close personal relationship with the person they care for could be subject to a Protection Order or be charged with a family violence offence under the new law.





This reinforces the need for people with disabilities, or the elderly, to be protected from abuse and the unique dynamics of those relationships. For example, in these relationships, abuse could be withholding medicine or medical equipment.

Changes have been made to Protection Orders to improve uptake and make them work better for both applicants and respondents. A new, [user-friendly application form](#) has been developed with guidance about how to create an affidavit. The new form and guidance were developed through a significant engagement process with victims, service providers, Court staff, Police, lawyers and members of the judiciary, to ensure that the changes meet the needs of people using it.

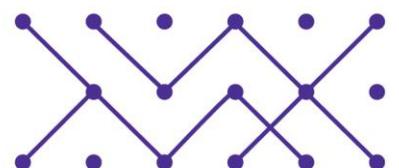
[The revised standard conditions in the Family Violence Act](#) will apply to all Protection Orders issued before and after the new legislation takes effect on 1 July 2019. The changes are about contact between the person who's been violent and the people they harmed, and the types of behaviour the violent person must not do.

New law is an opportunity for all of us to ensure we're working safely and collaborating to ensure the best possible outcomes for the people we're working with and for. For more information about the laws, see the [Ministry of Justice's website](#).

Government agencies are working to ensure the people inside their organisations, the providers and agencies they fund, their stakeholders and customers are aware of the new laws and what they mean in practice.

If you have any questions about the new law please email: familyviolencelaw@justice.govt.nz

Kia kaha tō mahi mo ngā whānau.





Through this newsletter you will receive updates on current work, including the implementation of the Family Violence Act and the Family Violence (Amendments) Act.

We welcome your feedback so please email us at familyandsexualviolence@justice.govt.nz

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