# UPR 2018 Factsheet: Violence Against Women

|  |
| --- |
| **SUMMARY OF KEY ISSUES FROM PREVIOUS UPR CYCLES** |
| The first and second UPR cycles identified gender-based violence including child sexual abuse, domestic violence, trafficking for sexual purposes, commercial sexual exploitation through trafficking, forced marriage, and sexual violence. While some progress through inter-agency work and strengthening of legislation (including workplace protection and specific offences) has been made, there is overall still minimal opportunity for women and girls to seek safety and justice through the criminal and family courts, and inadequate methods of prevention.  |

|  |  |
| --- | --- |
| **CHALLENGES** | **IMPACT** |
| *Prevalence of gender-based violence**Use of problematic concepts (e.g. Parental Alienation Syndrome, Situational Violence) in the Family Court in care of children decisions**Marriage of minors, despite CEDAW’s recommendation[[1]](#endnote-1)**Social security sanctions/penalties applied to women failing to disclose relationship status or children’s fathers’ details, despite victims’ fears for safety[[2]](#endnote-2)**Sexual exploitation of women and girls through forced prostitution, without any recognition or support mechanism provided by Government**Limited access to data disaggregated by gender, with Police no longer capturing relationship between abuser and victim**Online abuse has a subjective and high threshold for prosecution**Short-term and precarious funding for specialist agencies* | 1 in 3 women are abused by an intimate partner, 1 in 4 girls are sexually assaulted under the age of 16, and 1 in 5 adult women are sexually assaulted.[[3]](#endnote-3)Protection orders are declined on tenuous bases, and some children are forced to spend time with an abusing parent as fathers’ access is prioritised above women’s and children’s safety. This acts as a deterrent for women considering leaving an abuser. 16 and 17 year olds can be forced by older or proximal prospective partners to marry, and in our experience they are extraordinarily vulnerable to abuse.[[4]](#endnote-4)Victims are often unable to maintain financial independence yet are often unsupported by abusers, leaving them unable to leave or to provide for their children. These policies assume that partnerships will be ‘relationships in the nature of marriage’, which is unrealistic in new or unstable partnerships. These policies provide an immediate means for economic abuse and for power and control to flourish. There are girls and women are forced to prostitute by a partner, friend, or family member, and there are no specialist forms of support.[[5]](#endnote-5)Data summaries of offences disaggregated by gender are downloaded 13,000 times per year, but these data summaries have been cancelled[[6]](#endnote-6). With the absence of data capturing the relationship of victim and abuser, it is impossible to identify trends of gender-based violence.Many victims’ experiences of abuse are not considered harmful enough to merit a prosecution or conviction under the Harmful Digital Communications Act.[[7]](#endnote-7)Agencies are unable to offer competitive remuneration and attract new social workers, and cannot develop their services without guaranteed funding. |

|  |
| --- |
| **RECOMMENDATIONS** |
| 1. Double the funding for primary prevention, and prioritise mandatory respect and consent education in secondary schools;
2. Restrict the use of terms such as ‘Parental Alienation’ in the Family Court and mandate the inclusion of all family violence information in care of children arrangement decisions;
3. Raise the minimum age of marriage to 18, without any provision for exceptions;
4. Remove benefit sanctions and ensure access to benefits for the first two years of new relationships for mothers with children in their care;
5. Develop specialist services for victims of domestic sex trafficking and forced prostitution of all ages; update the National Plan of Action for trafficking and ensure that domestic trafficking for sexual purposes is prioritised within this Plan; and instigate capacity building initiatives within State departments likely to encounter trafficking;
6. Instigate police reporting on family violence processes for violent offences that specify the relationship between victim and offender; and renew contracting for the reporting of this information;
7. Review the Harmful Digital Communications Act with a view to establishing an objective threshold for harm; and
8. Guarantee five-year funding cycles for contract-holding agencies by 2020 and ensure that they are financially equipped to invest in agency development and in professional development for staff.
 |

|  |
| --- |
| **REFERENCES** |
| Committee on the Elimination of Discrimination against Women (2012) Concluding observations of the Committee on the Elimination of Discrimination against Women: New Zealand. Retrieved from: <http://women.govt.nz/sites/public_files/CEDAW%20concluding%20observations%202012.pdf>Catriona MacLennan – Fear and violence behind decision to keep dad’s name secret, New Zealand Herald, 20 September 2016 http://www.nzherald.co.nz/nz/news/article.cfm?c\_id=1&objectid=11712674Fanslow, J., & Robinson, E. (2004). Violence against women in New Zealand: prevalence and health consequences. *New Zealand Medical Journal, 117 (*1206), 1-12.Van Roode, T., Dickson, N., Herbison, P., Paul, C. (2009). Child sexual abuse and persistence of risky sexual behaviors and negative sexual outcomes over adulthood: Findings from a birth cohortAuckland Sexual Abuse HELP (2017). *Sexual Abuse Statistics*. Retrieved from <http://helpauckland.org.nz/get-info/statistics>’NZ Family Violence Clearinghouse. (2017*). Data Summary: Violence Against Women*. Retrieved from https://nzfvc.org.nz/sites/nzfvc.org.nz/files/DS2-Violence-Against-Women-2017.pdfThorburn N. 2017. Practitioner Knowledge and Responsiveness to Victims of Sex Trafficking and Forced Prostitution in Aotearoa/New Zealand. Thorburn, N. (2017). Sexual exploitation in adolescent dating relationships: Recruitment and Entrapment of Victims. Australian and New Zealand Treatment for Sexual Abuse Journal. Retrieved from <https://www.anzatsa.org/saanz-journal/browse-saanz-articles/>De Silva-de-Alwis, R. (2008). Child Marriage and the Law. Unicef. Retrieved from [https://www.unicef.org/policyanalysis/files/Child\_Marriage\_and\_the\_Law(1).pdf](https://www.unicef.org/policyanalysis/files/Child_Marriage_and_the_Law%281%29.pdf)New Zealand Family Violence ClearinghouseWhyte, A. 'I've never hated myself more in my life' - Revenge porn law, does it really protect the victim? Retrieved from <https://www.tvnz.co.nz/one-news/new-zealand/ive-never-hated-myself-more-in-my-life-revenge-porn-law-does-really-protect-victim> |

1. [↑](#endnote-ref-1)
2. [↑](#endnote-ref-2)
3. [↑](#endnote-ref-3)
4. [↑](#endnote-ref-4)
5. [↑](#endnote-ref-5)
6. [↑](#endnote-ref-6)
7. [↑](#endnote-ref-7)