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PRESS RELEASE

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SHARPENING THE BLUNT EDGE OF PROTECTION ORDERS

The Minister of Women's Affairs and the Ministry of Women's Affairs must be commended for commissioning the report *Living at the Cutting Edge – Women's Experience of Protection Orders* released today.

The National Council of Women of New Zealand (NCWNZ) strongly supports all the recommendations in the report.

"NCWNZ has been privy to anecdotal evidence of the judicial system failing to implement the Domestic Violence Act 1995 as it was intended, causing the increase in the number of protection order cases being put on hold, and delays in processing. This was detailed in the NGO CEDAW report." said Christine Low, NCWNZ National President. "It should be of great concern to all that protection orders have increasingly been perceived as ineffective. It is not surprising that women forgo the safeguard that protection orders should offer, especially when women are still subjected to intimidating threats from abusive partners. The current system is too convoluted and difficult for women, particularly those who have endured unrelenting physical and emotional abuse."

Evidence presented to the UN CEDAW Committee by New Zealand NGOs in the context of domestic violence, combined with the recognition by the Government that this situation needs redressing, has been further supported by UN CEDAW Committee recommendations¹. The

Committee specifically expressed its concern that the number of protective orders granted to women has been declining.

“It is imperative to New Zealand women the recommendations are acted upon,” said Christine Low. “This report provides clear direction on what needs to change in our judicial system. The report will also provide valuable insight for bodies such as the judiciary and New Zealand Law Society, members of which are those working at the coalface in domestic violence cases.”

The report makes 46 recommendations on legislative, policy and practice changes needed to protect all women victims of violence. Critical changes to the Domestic Violence Act 1995; Care of Children Act 2004 and the Family Proceedings Act 1980 are identified, and supported by factual accounts of a variety of women’s experiences.

ENDS

Further Information:

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¹ **Concluding comments of the Committee on the Elimination of Discrimination against Women: New Zealand**
http://www.un.org/womenwatch/daw/cedaw/cedaw39/concludingcomments/NewZealand_Advance%20unedited.pdf

25. The Committee calls upon the State party to consistently implement and enforce the Programme of Action on Violence within Families and to revise its Domestic Violence Act of 1995 in order to protect all women victims of violence, including Maori, Pacific, Asian, immigrant, migrant and refugee women, and women with disabilities. It calls upon the State party to ensure that all violence against women is effectively prosecuted and adequately punished in line with the Committee’s general recommendation 19. The Committee recommends that training be enhanced for the judiciary, public officials, law enforcement personnel and health-service providers in order to ensure that they can adequately respond to it. It calls on the State party to ensure that adequate data is collected on all forms of violence against women and urges the State party to conduct research on the prevalence, causes and consequences of violence against all groups of women to serve as the basis for comprehensive and targeted intervention. In particular, it encourages the State party to study the reasons for the decline in the issuance of protective orders and to consider putting in place additional protective measures for women, such as enabling the police to issue protective orders. It invites the State party to include information on the results of such measures in its next periodic report.

41. The Committee requests the State party to analyse and remove impediments women may face in gaining access to justice. The Committee calls upon the State party to provide legal aid services to all women in need and to raise awareness about how to utilize available legal remedies against discrimination, as well as to monitor the results of such efforts. It also encourages the State party to implement gender-sensitivity training to ensure that members of the judiciary, lawyers and prosecutors are fully familiar with applicable legal provisions, sensitized to all forms of discrimination against women and trained to adequately respond to them. It also requests the State party to conduct research and analysis on the impact on women of the new property division provisions in the Property (Relationships) Act and to provide such information in its next report.

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