

FVDRC FIFTH REPORT – CASE STUDIES AND MISCONCEPTIONS

'I never went to my sister's aid after that as I was worried for my life.'

'He told her she would never leave him alive and she would never be allowed to take his [child] away from him ... she was [so] terrified her teeth were chattering.'

'He will not let her tell anyone her address or phone number.'

'Misconception 'why doesn't she just leave'

There are many reasons why victims stay with an abusive partner – not least the fear of further retaliation against them and their children and that the violence will escalate which results in entrapment. Asking her why she doesn't just leave, is putting the blame back on the person who is the victim. It should not be the victim's responsibility to stop the violence – it should be the abusive person's responsibility to change their behaviour and stop being violent and agencies responsibility to keep victims safe.

The reality (FVDRC Fifth Report page 44)

Sarah's childhood was destroyed by her father's constant violence and abuse. He verbally humiliated and beat her mother, and hit her and her siblings. Her mother tried to numb the abuse by drinking. At high school Sarah discovered alcohol and started drinking daily to cope. Her teachers found her behaviour increasingly difficult and suspended her multiple times. Sarah started running away from home and living on the streets. Adult men who were grooming her for 'prostitution' raped her.

Eventually, Sarah was taken into state care. At 17, she was discharged from state care. Estranged from her parents, positive social supports, and vulnerable, she met Jim at a hotel bar. Jim was a patched gang member. He made Sarah his partner. The only thing Jim had learnt from his stepfather was violence. For Sarah the next ten years involved: being put down in front of friends, family, and neighbours; 'getting the bash' – if she fought back she got it even worse; rapes; miscarriages; and, feeling guilty and disgusted with herself for using alcohol and drugs and not 'being there' for her children.

Sarah was seen at the emergency department concussed with most of her teeth knocked out. There were more than 15 Police reports; she had taken out a protection order which Jim repeatedly breached. Her children were removed from her care and placed with relatives and this made her drink even more. Finally, Jim moved on from her and started living with another (younger) woman.

Sarah went to rehab and cleaned up. She got her children back from Child, Youth, and Family. Housing New Zealand gave her a home - in a rough part of town with few community services. She had little money to do anything or go anywhere. She had debts she was paying back from her benefit, due to damage caused by Jim to previous Housing NZ properties.

All her siblings drank and some were now gang affiliated. If they came over they bought alcohol with them, which made it hard for her to stick to her sobriety. However, not seeing



them made her feel isolated, lonely, and depressed. Sarah felt judged. She heard the hurtful remarks people and practitioners made about her family. She preferred the company of her siblings because at least they understood what she had been through. She met her next partner, Harry, through one of her siblings. She was wary because he was a gang member, but he seemed okay and initially he treated her much better than Jim had.

Her sister said that 'beside the hidings and all that' Harry came across like he really cared for her. After they started living together Harry's controlling behaviours intensified. He constantly accused her of infidelity. She was not allowed in the company of other men without him. When he was not around, he had his friends watch her.

Her children were terrified of Harry and she was terrified of losing them again to CYF. Her previous experiences meant that she knew if she could not protect them from him she could lose them to state care. She was very worried about what might happen to them in state care because her sibling's child was sexually abused in state care.

Sarah was also scared to call the Police. Harry had threatened to hurt her children if she called. He had strangled her and she knew he was capable of killing her and harming her children. In the past, whenever Jim had been arrested he would afterwards return to her house and beat her up for having called the Police. Would Harry be locked up or would he be bailed to her address? How could the Police or the courts keep her and her children safe?

She wished the neighbours would call the Police but they never did. Harry's abuse made her feel suicidal and brought back Jim's abuse all over again. She desperately wanted a different life for her children. One night she was so terrified of Harry, she called the Police. They arrived but she was too intimidated by Harry to make a statement. She said it was 'just a verbal argument'.

The Police issued Harry with a Police Safety Order. His reprisal was a serious beating.

Refuge was not an option as she was drinking again to try to block out the abuse. She had no car and nowhere to go. Harry knew where all her siblings lived – she couldn't go there.

Eventually, she thought, he would kill her.

He did.

Misconception 'isolated incidents of violence'

When an intimate partner violence death occurs there has always been a history of prior threats, controlling behaviour, and/or physical or verbal abuse – there is a pattern of harm. Intimate partner violence is never a series of isolated incidents - it is a pattern of ongoing coercive and controlling behaviour used by an individual often escalating over time.

The reality (FVDRC Fifth Report page 36)

Over a 15+ year period, Mark had 20+ convictions for intimate partner violence offending against multiple female partners. More than three of his partners had obtained a protection order when they were attempting to separate from him. He breached each order multiple times.

At the point of separation, Mark had attempted to kill previous partners. In each instance his partner had been warned by a third party and police were able to apprehend him upon arrival at their homes. These events resulted in convictions, including threats to kill/do grievous bodily harm, breaches of protection orders and possession of a weapon.

Mark was never imprisoned for his intimate partner violence offending. His sentence on his convictions for family violence offending near the end of his offending history was similar to the sentence he received at the beginning – supervision with Community Probation Service, and attendance at a non-violence programme. He received warnings after breaching the protection order against his last partner.

Mark killed his last partner when she was trying to separate from him. A third party called the police but she died before they arrived.

Misconception ‘separate forms of abuse’

Intimate partner violence and child abuse and neglect are ‘entangled’ forms of abuse – in that they are often happening under the same roof, but we treat them as separate problems. We now know children are harmed by exposure to intimate partner violence. Allowing a child to be exposed to their parent being abused is child abuse and neglect. We need to address both forms of abuse at the same time.

The reality (FVDRC Fifth Report page 56)

Mary’s partner Vinne subjected her to years of abuse. He was very controlling and did not like her to leave the house. He did not let her have a mobile phone.

Vinne had pulled a knife on her and threatened to kill her. He threatened to take their young child if she left him. A family member supported Mary to make a report to the Police about Vinne’s abuse.

The Police temporarily uplifted their child on the advice of multi-agency practitioners. They were concerned that Mary was not acting protectively or able to protect their child from Vinne’s violence. Out of fear of his retribution for contacting the Police, Mary withdrew her Police statement. Vinne moved back in with her.

Mary later separated from Vinne and proceeded with serious charges against him. These charges were before the courts at the time of her death. Mary’s next partner killed her.

After Mary’s death, Vinne wanted custody of their child. Members of the maternal family also wanted custody. Vinne attended a short course of ‘anger management’.

A plan was drafted....to transition the child back into Vinne’s care.

MISCONCEPTIONS ABOUT INTIMATE PARTNER VIOLENCE (FVDRC FIFTH REPORT pg. 50)

| Issue | Current (unhelpful) understandings | Reframing for a better response |
|--|---|---|
| Understanding Intimate partner violence | Incidents of violence Reported incidents of physical violence affecting current victim. | Patterns of cumulative harm There is a pattern of coercive and controlling behaviours that can encompass multiple victims (adults |



| | | |
|---|--|---|
| | | and children) – past, current and future. Anticipation of hidden and future victims. |
| Framing of victims' response to partners' violence | <p>Learned helplessness The victim develops a syndrome that causes her to believe she is powerless to address the abuse.</p> <p>Empowerment/ Autonomous victims The victim can choose to take action to stop her partner's violence.</p> | <p>Resistance Victims resist their partner's violence but their resistance cannot stop the violence. Their partners anticipate and sabotage their acts of resistance.</p> <p>Entrapment Individual and collective. Intimate partner violence is a crime against a victim's autonomy and self-determination.</p> <p>Victims are entrapped by an abusive partner's coercive and controlling behaviours.</p> |
| Safety focus and approach | Adult victim with a safety plan Transactional safety plans – the victim is provided with a safety plan (a list of actions she can take to achieve safety). | Adult and child victims – safety is dependent on collective action Safety through connection – safety is dependent on the collective actions of agencies, communities and whānau. |
| Responsibility for stopping the violence | Individual victim responsibility The victim is responsible for taking action to stop the violence. | Collective responsibility Agencies, practitioners, whānau and communities have the responsibility to hold abusive people in intervention contexts, as well as containing and challenging their behaviour. |
| Victims' use of violence | <p>Violent women</p> <p>Women's use of violence against men is understood as the same as men's use of violence against women.</p> <p>'She can give as good as she gets.'</p> | <p>A primary victim and a predominant aggressor</p> <p>Women's use of violence is understood in the wider context of men's violence against women. Women's use of violence is different in intent, meaning and impact, and is often aimed at resisting their partner's violence in order to keep themselves and their children safe.</p> |