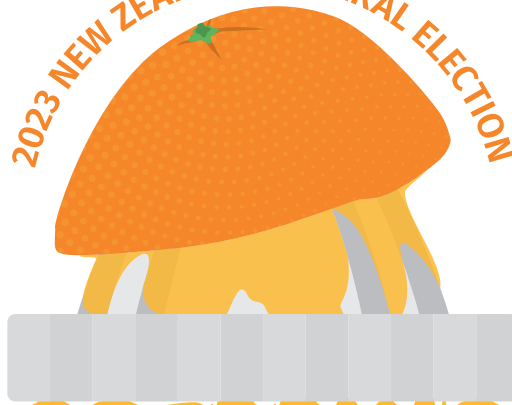


2023 NEW ZEALAND GENERAL ELECTION



PRESSING ISSUES.



Te Ope Whakaora

Social Policy & Parliamentary Unit

Working for the eradication of poverty in New Zealand

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# FAMILY VIOLENCE, VICTIMS OF CRIME AND THE REMAND POPULATION

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## FAMILY VIOLENCE

Family violence is an endemic issue in New Zealand, affecting all facets of society. We currently have the highest levels of family violence among all OECD countries, emphasising the urgent need for action. In the past year, the police responded to a family violence incident every three minutes, **totalling 175,609 cases**. This marks a 47.3 percent increase since 2017. Additionally, family harm investigations deemed as crimes by police escalated by 65 percent during the same period. Alarming, 70 percent of family violence incidents occur within households with children. Concerning trends show a 40 percent rise in serious assaults on children under 15, and a 31.5 percent surge in sexual assault victims aged 15–19 since 2017. These concerning trends in family violence and violence against children raise the question—is New Zealand one of the most dangerous countries for children to grow up in?

While **the cost of family violence** is estimated to be \$7 billion annually, its impact extends far beyond economic cost into wellbeing and outcomes for New Zealanders in the future. Significant studies show the impacts of family violence on children's educational achievements, mental and emotional wellbeing, and overall development. Without interventions, these impacts can be profound for families. Inside the

prison system, [57 percent of prisoners have endured sexual and/or family violence](#), with women at 75 percent and men at 56 percent. The impact of family violence is even more evident among young people, with [80 percent of young offenders having experienced family violence](#).

Family violence, however, affects groups of society differently. According to police data, over 50 percent of family violence offenders identified as Māori. The New Zealand Crime Victim Survey (NZCVS) showed that Māori wahine faced a risk of more than twice that of females in the general population (6.9% versus 3.1%). Similarly, Māori males faced a risk three times higher than males in the general population (3.4% compared to 1.2%). This is a cause for concern, given the widespread agreement that family violence not only influences the future trajectories of those directly affected, but also leaves an intergenerational impact due to the transmission of learned behaviours and exposure. The [NZCVS](#) showed that 52 percent of family violence perpetrators were under the influence of alcohol and/or other drugs. Furthermore, characteristics of offenders such as unemployment, limited educational attainment and residing in socio-economically deprived areas are among the risk factors linked to recurring instances of family violence.

The Government's [Te Aorerekura strategy](#), aimed at eliminating family and sexual violence, has completed its first year. While substantial investments have been directed towards aiding those experiencing violence and improving systemic issues, there remains a critical requirement for immediate interventions capable of safeguarding present and future generations. Family violence policies that disregard the considerable influence of alcohol, drugs, socio-economic disadvantage, educational attainment, and other risk factors fail to enact a meaningful impact. Rather than solely investing in reactive measures like the ambulance stationed at the base of the cliff, let us prioritise preventive measures at the top of the cliff. Often, by the time individuals find themselves requiring the assistance of an ambulance, the devastation wrought by family violence may already have taken a toll. We call on the new government to move on these issues with the following recommendations:

- [Te Aorerekura to invest in initiatives that focus on the current needs of families](#), offering accessible and culturally sensitive assistance to those affected by family and sexual violence. Are the on-the-ground family harm teams actually working? What about increasing support of grassroots programmes like Man Up or Building Awesome Matua as short-term interventions that deal with the needs now?
- To counter the role of alcohol and drugs in family violence, we urge parties to [review the Sale and Supply of Alcohol Act 2012](#). Alcohol affordability, accessibility, availability and advertising continue to perpetuate the notion that alcohol is a normal commodity. This has normalised the hazardous drinking culture in New Zealand and plays an integral role in the levels of alcohol harm we see in our communities, including family violence.
- [Address the lack of secure housing for family violence victims](#); we advocate for substantial investment in tailored facilities, partnering with organisations like Women's Refuge, and providing comprehensive training to MSD to offer specialised support for victims being forced to move to be away from offenders, as many of those we support end up in emergency housing.

## VICTIMS OF CRIME

Every year, when addressing the Crime and Punishment chapter in the *State of the Nation* report, a recurring concern stands out—the state of victims within the justice system.

In the past year, the police reported over 220,000 victims of crime. Police data also reveals an increase in victimisation frequency among those who experience crime. However, only 23 percent of crime is reported to the police, highlighting significant underreporting. The resolution rates for crimes reported by victims to the police continue to decline annually, leaving more cases unresolved and denying justice to victims. The New Zealand Crime Victim Survey, a more accurate indicator, shows that about one in three New Zealanders experienced an estimated 2,466,000 offences in the past year.

Across the justice pipeline for victims in New Zealand, justice often seems to fade after offenders are caught. As victims engage in the justice system, from courts to corrections, their voices are often ignored. Navigating the legal system is tough for victims, as they often find themselves alone in navigating the complexities of the judicial system, coupled with emotional distress. This can lead to feelings of disempowerment and exclusion from the very process that should provide justice. Recognising these hurdles shows the need for a supportive and empowering environment for victims, which, unfortunately, is lacking in our current justice system.

**'That's a lie': Sexual violence misconceptions, accusations of lying and other tactics in the cross-examination of child and adolescent sexual violence complainants**—a report released by the Chief Victims Advisor in 2021—highlighted the high level of distress and re-traumatisation young complainants of sexual violence face during cross-examinations. This report further emphasises trends that victims continue to highlight of feeling attacked and retraumatised in court proceedings, leading many victims to choose not to engage and resulting in a lack of justice. This report is one of many examples highlighting the failures of our justice system in supporting victims.

The impact of offending extends far beyond just the immediate victim, affecting not only their wellbeing and livelihood but also casting its shadow over the lives of their families and friends. We support many whānau who are victims of family and sexual violence, who are sometimes uprooted from their communities and support networks due to the actions of their offenders. This raises the question: why must victims endure displacement and disruption? This situation calls for a serious re-evaluation of the system to ensure that victims are supported, with their voices heard and rights protected, and minimising the ways that the system continues to perpetuate harm.

- **The Ministry of Justice needs to collate and report data on victims who traverse the justice system.** Without capturing the extent of victims' engagement or lack thereof, we won't be able to provide sufficient solutions to transform the justice system and empower and support crime victims.
- **The justice system should consider the voices of victims** when deciding whether offenders remain in prison or are released into the community. **The Corrections Amendment Bill** proposes many new and improved rights for prisoners around cultural interventions, but where are the improved rights for victims of crime? Where is the balance in our justice system?
- **Significant investment in victim support advocates**, to assist victims in navigating the judicial system.

## REMAND POPULATION

The remand population as a proportion of those in prison awaiting court sentencing, has seen a significant increase, both among male (40%) and female (50%) prisoners in the last decade. **A remand prisoner costs \$408 per day** for an average remand duration of 78 days. Prisons, which are designed for a 15 percent remand capacity, now grapple with this issue. Projections indicate that the remand population will increase and remain at around 50 percent between 2030 and 2050. **The Justice Sector's Long-Term Briefing** reveals that technological advancements have led to more individuals being held for offences related to bail violations since 2014. Consequently, those in custodial remand endure prolonged stays while awaiting trial and sentencing, while individuals granted community bail contend with extended periods living under strict bail conditions. Moreover, the growth in the remand population has been influenced by longer court proceedings, complex cases and the impact of Covid-19. The delays in sentencing for those in custody have notable repercussions—time spent in prison affects factors like employment and housing, including for those eventually found not guilty.

In 2022, approximately 35 percent of individuals on community remand committed offences while awaiting trial, thereby supporting the rationale for custodial remand. However, only 59 percent of those held in

remand ultimately received a custodial sentence. More than 20 percent were sentenced to time already served in 2020/21. Individuals in remand face limited access to rehabilitation programmes offered within the prison system, as well as limited access to reintegration initiatives. Those remanded are also limited from accessing offence-focused programmes due to not being sentenced for a specific offence. Thus, those in remand not only experience a suspended life but also lack sufficient support for their circumstances whilst in prison.

Currently, the Government has introduced a Corrections Amendment Bill to address challenges posed by mixing remanded prisoners with sentenced individuals, aiming to alleviate prison remand population issues. However, we hold the perspective that more robust support is necessary for those remanded. We consider this measure a temporary solution to a larger problem within the court system. In the absence of adequate rehabilitation support extended to those on remand, we anticipate a potentially criminogenic impact, leading to increased recidivism rates in the long run. Presently, Corrections doesn't monitor recidivism levels among those who have spent substantial time in prison awaiting trial. Yet, international data indicates that such situations often perpetuate criminal behaviours.

The following are some policy concepts or priorities that The Salvation Army promotes as key focus areas for the incoming government to focus on, related to the remand population:

- **Invest in alternatives to custodial remand**, such as bail support services that provide assistance to individuals on bail, helping them adhere to conditions and reducing the likelihood of reoffending while awaiting trial.
- **Make significant investment in the courts processes** to decrease the time that cases move through the courts.
- **Establish a system to track the recidivism rates of individuals** who have spent substantial time in prison while awaiting trial. This data can inform future policies and interventions for those remanded.

We welcome your comments on this *Pressing Issues* election series.  
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