The Shadow Pandemic:  
The Exacerbation of Social Harm during the Covid-19 Crisis

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Abstract

This thesis uses family violence in New Zealand as a case study to analyse how social harm is exacerbated during a pandemic. Traditionally social harm literature has focused on harms that are a result of state and corporate actors within capitalist economies, with little attention being given to gendered harms related to patriarchal forces within these economies. Semi-structured interviews were conducted with key workers from the family violence support sector based in Auckland, Wellington and Christchurch. Participants’ responses revealed that social harms such as poverty, lack of housing and lack of state funding for NGOs were exacerbated during the pandemic and that these harms were also related to a rise in family violence cases. In doing so, the thesis demonstrates that social harm thinking needs to be much more attentive to patriarchy and gendered power relations.
Chapter One: Introduction

The Covid-19 pandemic has been one of the largest and most disruptive pandemics in modern history (Peterman et al. 2020). While Covid-19 has been identified as a global health crisis that has caused the deaths of millions worldwide, it has also impacted on global economic markets, plunging many countries into recessions and in turn exacerbating levels of inequality (Sharma, 2020). When the virus first began to spread across the globe in February of 2020, countries began to adopt measures to slow the high rates of infection. These measures included social distancing, and restrictions on movements, however as the virus continued to spread many countries began to implement lockdown restrictions, declaring that people must stay in their homes (Peterman et al. 2020). While this was a necessary and effective health measure to stem the rising infections rates it contributed to a rise in domestic violence cases which the United Nations labelled as the ‘shadow pandemic’ (UN Women, 2020).

This thesis places the shadow pandemic within a New Zealand context and uses a social harm framework to explore how gendered harms such as family violence can be exacerbated during a pandemic. The social harm approach has emerged from within the field of critical criminology and is primarily focused on how power structures within neo-liberal and capitalist economies inflict harms on individuals through practices and systems that can lead to injuries or death (Pemberton, 2016). Social harm thinkers argue that political, social and economic structures that inflict harm should be viewed as crimes. In the context of the Covid-19 pandemic Leighton and Wyatt (2021, p. 2) state:

> none of the failures of governments to protect their citizens, none of the broken healthcare systems that will fail to care for those contracting and recovering from the coronavirus and none of the discriminatory responses that privileged the rich patients over other patients are crimes; these acts are undoubtedly harmful and worthy of investigation, but they are not recognised as crimes.

The social harm perspective has traditionally focused solely on state and corporate actors as the power structures that inflict harm. However, this thesis argues that another power structure, the patriarchy should be considered as a powerful force that can inflict harm. While there is an emerging body of literature that looks at gendered harms through a social harm framework this work is still in its infancy.
This thesis hopes to build on this emerging literature by using family violence in New Zealand as a case study to analyse how social harms such as poverty or housing inequality can be exacerbated during a pandemic and how this can impact on gendered harms such as family violence. These harms are viewed within the wider context of patriarchal power structures to identify how patriarchal forces work within state agencies to exert harm over women. In order to analyse these harms semi-structured interviews were conducted with key informers who work within the family violence support sector.

**Thesis Overview**

Chapter Two outlines the social harm approach tracking its emergence within critical and radical criminologies before becoming a theoretical concept in which the relationship between power structures and harm is studied. Within this chapter the patriarchy is introduced as a structural force that should be recognised as a power structure when taking a social harm approach. Chapter Three discusses family violence in New Zealand looking at the prevalence of violence and the gendered nature of violence. Within this chapter structural harms are identified that relate to violence. Chapter Four discusses the methodological approach for this research, outlining the research design and the challenges and limitations I faced when conducting the research. Chapter Five is the first of two findings chapters where the impacts of the level Four Lockdown and the months following are discussed by participants highlighting how barriers to reported violence have been exacerbated by the pandemic. Chapter Six discusses the social harm impacts of the pandemic including how the pandemic affected the incomes of victims/survivors and the struggles that participants faced when trying to house their clients. This chapter shows how these social harms are also gendered as they have an impact on violence. Chapter Seven places the findings into the context of patriarchal power structures and argues for the patriarchy to be recognized as a structural force within the social harm perspective, to understand gendered harms. The final chapter briefly summarises the thesis and discuss future potential policy implications of the research.

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1 Throughout this thesis I use the terminology victims/survivors. This is commonly used within the family violence support sector and reflects how some women who have faced abuse do not wish to be labelled as a victim.
Chapter Two: Social Harm

This chapter explores the evolution of the social harm approach and its place within criminology. It starts with its origins in radical criminology and then outlines the core tenets of the social harm approach as proposed by key academics such as Paddy Hillyard, Steve Tombs and Simon Pemberton. In doing so, it outlines that social harm – as currently envisaged – is especially concerned with analysing harms that are a result of economic and class-based power imbalances in society. These contributions have been useful to our criminological thinking as they shed light on the power imbalance between the powerful and the powerless in criminalisation processes. However, it is a limited framework, not least in its neglect of recognizing the patriarchy as a power structure that perpetrates harm. For that reason, within this chapter, I argue that the social harm approach should recognise the patriarchy as a structural force (alongside the state and corporations within neo-liberal economies). Its current omission means that gendered harms such as family violence have not been understood within the wider context of structural inequalities which in turn masks the role that patriarchal power structures have in disadvantaging women.

This chapter begins by discussing the early beginnings of social harm theory which was influenced by criminology moving away from strict legal definitions of crime to investigating the criminalisation process. Following this I trace the different definitions of social harm as proposed by prominent social harm thinkers and then highlight why it is important for a social harm definition to recognise the patriarchy as a powerful group. Finally, I establish how the social harm approach can be applied to study the exacerbation of harms during a pandemic.

The Emergence of Social Harm

Social harm is used as a broad term to encompass acts that have not traditionally been viewed as ‘criminal’ within the field of criminology. Hillyard, Pantazis, Tombs and Gordon (2004) state that the principle aim of the social harm approach is to move beyond the narrow confines of criminology and crime, by expanding on the definition of harm that encompasses state policies and actions that have detrimental effects on citizens. The social harm approach has allowed criminologists to view structural harms such as poverty or neglect from the state as criminal acts as they inflict similar suffering as acts that are traditionally seen as crimes.
However, a conclusive definition of what social harm means and the types of harms that it constitutes has yet to be agreed upon by criminologists and social harm thinkers (Pemberton, 2016). Here, I reflect on the earlier criminological thinking that has given rise to the social harm perspective. In particular, I trace how social harm thinking has emerged out of theories proposed by Sutherland (1940), Schwendinger and Schwendinger (1970) and Box (1986).

Social harm theory sits within the perspective of critical criminology which has evolved from the radical theories of criminology that emerged during the 1960s. Critical criminology focuses on the power structures within society and views crime as a product of the oppression of certain groups by the powerful. These groups include those linked through class, ethnicity/race, age and genders. Muncie (2000) states that criminologists began to view crime through the lens of social harm during the 1970s as the theories of radical criminology began to have influence in the field. Traditionally, criminology focused on positivist theories which were concerned mainly with the ‘criminal’ individual, with scholars studying their physical, psychological and environmental predeterminants (Muncie, 2000). It was thought that by studying crime in this way, with a focus solely on the individual and their immediate environment, the ‘criminogenic condition’ could be treated by designing interventions to alter an individual’s behaviour or by investing in opportunities for community development (Muncie, 2000). Critical theorists criticised this position, arguing that restricting criminology to individualistic understandings of criminal behaviour serves as an adjunct to government policy and furthers the interests of political ‘tough on crime’ rhetoric (Shearing, 1989).

The social harm approach to crime draws on the work of Edwin Sutherland who coined the term ‘social injury’ when researching white-collar crimes in 1940s corporate America. Sutherland argued that official crime statistics showed a high incidence of criminal behaviour amongst the working class, which contributed to the development of theories of crime that focus solely on poverty (Sutherland, 1940). He stated that this narrow focus creates a misleading narrative that supports the idea that criminals are from lower-class backgrounds and that crime is mainly concentrated in low socio-economic areas (Sutherland, 1940). He argued that criminologists needed to concentrate on other areas where crime can occur such as in the corporate world. Pemberton (2016) argues that Sutherland’s research helped to awaken criminological curiosity in relation to elites in criminality. Sutherland’s work attempted to broaden the notion of crime by arguing that activities such as fraud, while
punishable by legal sanctions, are not seen to be on the same level of harm as an individual committing theft/burglary, despite the harmful and disruptive impact that both acts inflict. Sutherland identified a range of harms within the corporate world and suggested that, like harms committed by individuals, harms committed by corporations fall under the category of ‘social injury’ and should therefore be subject to the same scrutiny and sanctions. The concept of ‘social injury’ was further developed by Schwendinger and Schwendinger (1970), who argued for a broader and more imaginative approach to recognising harm. They suggested that criminology should reject legalistic definitions of crime and expand the definition to include the abrogation of the right to racial, sexual and economic equality (Schwendinger and Schwendinger, 1970). They stated that:

...individuals who deny these rights to others are criminal. Likewise, social relationships and social systems that regularly cause the abrogation of these rights are also criminal. If the terms imperialism, racism, sexism and poverty are abbreviated signs for theories of social relationships or social systems that cause the systematic abrogation of basic rights, then imperialism, racism, sexism and poverty can be called crimes according to the logic of our argument (Schwendinger and Schwendinger, 1970, p. 108).

Crime therefore could be viewed through a human rights approach under which a failure for individuals to reach their basic needs due to neglect from the state could be seen as a criminal act. Schwendinger and Schwendinger’s approach was criticised by some criminologists as an unrealistic ‘moral crusade’ with human rights being open to interpretation (Pemberton, 2016). Nevertheless, the work around ‘social injury’ conducted by Sutherland and the Schwendingers helped to influence the debate about how crime should be viewed within criminology. The expansion of criminology to include harms such as poverty and imperialism by the Schwendingers can be seen as the beginning of the social harm approach. However, as Pemberton (2016) notes, the same questions of values and objectivity in relation to social injury have also become a recurrent theme when settling on a definition of social harm.

In the light of the work by the Schwendingers, criminologists such as Box (1983) began to highlight the ways in which the narrative of crime and criminal behaviour can be influenced by those in powerful positions. He stated:
...before galloping off down the ‘law and order’ campaign trail, it might be prudent to consider whether murder, rape, robbery assault, and other crimes focused on by state officials, politicians, the media, and the criminal justice system do constitute the major part of our real crime problem. Maybe they are only a crime problem and not the crime problem. Maybe what is stuffed into our consciousness as the crime problem is in fact an illusion, a trick to deflect our attention away from other, even more serious crimes and victimizing behaviours, which objectively cause the vast bulk of avoidable death, injury, and deprivation (Box, 1983, p. 3).

Furthermore, Box argued that crime and criminalisation is a form of social control. He stated that the definition of serious crime only refers to a sub-section of harmful behaviours which are mostly committed by young, unemployed, poorly educated males who live-in working-class neighbourhoods and frequently belong to an ethnic minority. This definition of serious harm reflects the criminalisation process in which the elite can criminalise those that they wish to oppress.

As well as highlighting the power structures between the state and the working-class, criminologists also began to challenge other harmful social structures. The emergence of feminist criminology explored how crime was viewed mainly through patriarchal structures of power. While this did not impact on the emergence of social harm literature, it reflects how feminist criminology was able to draw on critical criminology to identify patriarchal power structures that relate to the criminalisation process. Heidensohn (1985) argued that women and men occupy different spheres in society, and that women’s behaviour in public and private places is bound by different rules than that of men. She stated:

The chief difference is that men monitor and control women’s behaviour, giving and taking away names and reputations whether they are boyfriends, drinking partners, officials or just the anonymous freemasonry of men in groups, in pubs, or on street corners...Women, strictly speaking, are only supposed to be ‘at home’. The public domain is men’s and they control access to it and behaviour in it (Heidensohn, 1985, pp. 187-188).

Heidensohn argued that the most controlling aspects of these spheres is the isolation of private domestic life which allows for harms such as domestic violence to go unnoticed and
unpunished. This argument highlights problems with the criminalisation process as domestic violence, while officially recorded as a crime is rarely policed due to it being viewed as an issue between a husband and wife. Similarly, Morris (1987) argued that in the case of domestic violence, few women turned to the police for help, and those that did found that the police did little. Morris stated that the justice system is designed to protect the patriarchal social forces of society where domestic violence is not viewed in the same way as violence against a stranger, a reality that still stands today. These perspectives within critical criminology highlighted how crime and criminalisation can be used as a form of social control over class, ‘race’ and gender relations. The rise of critical criminology represented a shift in how to study the problem of crime as critical criminologists began to argue that crime cannot be understood simply by focusing on individuals who commit criminal acts. Instead, crime and the response to crime must be viewed through the political and economic structures within society. From this perspective, criminologists should identify the social constructions that give groups the power to criminalise certain acts (Muncie, 2000).

**Approaching a Definition of Social Harm**

This section details how social harm thinkers began to develop a definition of social harm that shifted from looking at harm through legal definitions to exploring the wider structural context in which harm can occur. This involved recognising the power structures within economic regimes such as capitalism and neo-liberalism and identifying social harms that are related to the power structures within these regimes. Social harm thinkers began to develop theories about what constitutes a social harm, starting with needs-based definitions and then labelling the powerful groups that are responsible for harm.

Tifft and Sullivan (2001), for example, built upon the idea of a human rights approach to social harm by focusing on a needs-based definition of harm. They argued that a needs-based social harm approach expands on the definition of crime to include social conditions that deny individuals their basic needs (Tifft & Sullivan, 2001). In justifying their approach to social harm, they argued that:

> to understand the nature of the pain and suffering we “cause” one another and to work to alleviate it, we must understand the workings of power, for power resides at the base
of all forms of violence, social harm, “crime” and punishment (Tifft and Sullivan, 2001 p. 5).

They stated that while harms are defined as acts that violate the law, they should also be defined by the actions of the powerful who impose harmful conditions on individuals, such as imprisonment and economic sanctions in the name of justice. By focusing on powerful groups that influence the criminal law, criminologists can begin to question the link between power, justice and social harm and challenge laws that serve to marginalise and disenfranchise those without power (Tifft & Sullivan, 2001). Similarly, they argued that exercising power within the criminal justice system is a form of violence, as a power-based response to harm imposes a counter-loss on the person designated as responsible for the harm. Therefore “justice” in a power-based system can only be achieved through the equalisation of loss or an equalisation of harm, even though this equalisation contributes an additional harm to society (Tifft & Sullivan, 2001). The equalisation of harm does not benefit either the offender or the victim/survivor as it ignores the needs of the survivor, diminishes the offender’s chance to reform, neglects the needs of the wider public to be protected from such harms, and confirms the legitimacy of powerful groups to impose harms in the name of justice (Tifft & Sullivan, 2001). Tifft and Sullivan (2001) stressed that in the current power-based criminal justice system the “crime” rate is arbitrary and may increase or decrease, however the level of social harm persists as the criminal law does not address the structural violence within the system.

Tifft and Sullivan’s (2001) position furthered the argument amongst social harm thinkers that the field of criminology needed to expand beyond the legal definitions of harm. However, their work was still vague in regard to what constituted social harm, only referring to structural harms without any clear identification of what these harms could be. In response to criticisms surrounding the vagueness of ‘social harm’, Hillyard and Tombs (2004) suggested that the approach should encompass harms that are deleterious to people’s welfare from the cradle to the grave. They stated that a social harm approach should also attempt to highlight the damaging activities and policies of the state and corporations and the harmful effects that these have on peoples’ lives. They argued that there should be a field either within criminology, or within an entirely new discipline of zemiology, that would embrace a range of harms such as lack of food, inadequate housing, low income and exposure to dangers that could be easily prevented through policy/regulation (Hillyard and Tombs, 2004).
Hillyard and Tombs (2004) proposed four categories which encompass the range of harms that they believe a social harm approach should be concerned with. The first relates to physical harms which includes serious injuries or death as a result of negligence, exposure to environmental toxins, lack of adequate food and shelter and torture by the state. Hillyard and Tombs (2004) state that within this category, injuries that are often labelled as “accidents” need to be reclassified as harms, as they can be foreseen and prevented and only occur as a result of businesses and governments prioritising profits over safe conditions. The second category is concerned with financial/economic harm which incorporates citizens living in poverty and a lack of support to remove them from financial hardship. This category also includes acts of fraud and misappropriation of funds by governments or corporations and the redistribution of wealth that benefits the richer in society over the poorer through taxation and welfare policies (Hillyard and Tombs, 2004). The third category encompasses psychological/emotional harm which can be related to the first two categories. While this category is not explored in depth by Hillyard and Tombs, it incorporates the psychological and emotional stress that people can feel when they experience harm. The final category is cultural safety which encompasses the ideas of individual autonomy, allowing for opportunities for development and growth, and for intellectual and informational resources to be easily accessible and available for wider society to access. A lack of cultural safety in society can be viewed as a social harm under this category. Hillyard and Tombs (2004) acknowledge the broadness of the social harm approach in identifying and defining harms, however they argue that this may be an advantage to the approach as it allows for an evolving definition of harm based on progressive principles. They state that social harm should partly be defined by people’s attitudes and experiences towards the structural harms that they face within society, as this is a necessary way to identify how these harms impact society as a whole.

This broad definition of social harm has not found favour in all quarters. For example, Yar (2012) criticised Hillyard and Tombs’ definition of social harm, arguing that the ambiguity in what constitutes a harm is a weakness as the definition lacks analytical specificity, making it difficult to research. In contrast, Yar (2012) proposed his own definition of social harm which was based on the concept of recognition. This concept establishes the basic needs that comprise the conditions of human well-being or flourishing. These needs can be placed into
three categories: ‘love’, ‘rights’ and ‘esteem’. These categories relate to basic elements that secure an individual’s integrity and well-being. ‘Love’ satisfies the demand for emotional support and self-confidence, ‘rights’ mediate a demand for dignity and equality, and ‘esteem’ gives an individual a sense of their value as a person with particular social and cultural traits. Yar (2012 p. 59), argues that social harms “can be understood to comprise nothing other than the inter-subjective experience of being refused recognition with respect to any or all of these dimensions of need”. This definition of social harm views harms as instances of disrespect in relation to these recognition needs. Yar (2012) states that by viewing harm in this way, social harm theorists can find a coherent conceptual unity as the ontological reality of harm lies within various forms of disrespect at an individual level or at the wider structural level of society. For example, structural relations such as racism or sexism can be considered harms as they deny those that are discriminated against the experience of self-esteem or recognition of their identities that are important to their worth as human beings. Yar (2012) argues that by using this definition of social harm based on the concept of recognition and disrespect, it will be easier for theorists to identify and agree on what constitutes harm. However, in my view, this definition – like that of Hillyard and Tombs (2004) – also lacks specificity as the needs that Yar identifies are open to interpretation by the researcher, meaning that the definition of harm will reflect the researcher’s own view on what constitutes these needs.

Drawing on the work and arguments of the previously mentioned academics, Pemberton (2016) offers his own definition of social harm, albeit with the caveat that it should not be considered as the ‘end position’ of the social harm approach. Pemberton (2016) argues that while the social harm literature is somewhat fragmented, there are consistent themes that emerge throughout each argument allowing for the possibility of a more concrete and widely accepted definition. According to Pemberton (2016, p. 24), social harm acts “as a shorthand to reflect the relations, processes, flows, practices, discourse, actions and inactions that constitute the fabric of our society which serve to compromise the fulfilment of human needs and in doing so result in identifiable harm”. According to Pemberton, framing social harm in this way is advantageous for three reasons. The first is that this definition encompasses a range of different social formations such as capitalist, socialist and communist societies, and is therefore not restricted to a single mode of social organisation. The second is that this definition relates to both the material and relational aspects of harm. These can include
harms that result in enforced exclusion from social relationships. Pemberton (2016) notes that a person’s ability to access opportunities is largely dependent on contact with others and this can be hampered by structural factors that prevent meaningful relationships being nurtured. The lack of meaningful relationships can result in harms such as loneliness and social isolation. The third is that the definition considers both smaller harms from individuals through to the wider structural harms that are a result of policy or regulation (Pemberton, 2016). Furthermore, Pemberton develops conceptual boundaries when referring to this definition to help further identify what constitutes social harm. One of these boundaries is to classify harms as ‘socially mediated’, which suggests that a harmful event is preventable insofar as it remains within human control. Pemberton (2016) argues that viewing harms as socially mediated is in stark contrast to how harm is currently viewed within capitalist ideologies, which is that an action or event must be intentional for it to be harmful. Socially mediated harms therefore encompass those harms that are currently invisible within the existing social structures or organisation such as poverty and market manipulation.

In developing his definition of social harm, Pemberton (2016) highlights one of the key tenets of the social harm approach which is its focus on identifiable harms within capitalist and neo-liberal regimes. This is similar to previous social harm definitions like that proposed by Hillyard and Tombs (2004) which state that while a social harm approach can be applied to any political/economic regime, the dominance of capitalism in western societies has meant that the majority of the social harm literature has focused solely on these systems (Pemberton, 2016).

The lack of regulation within free-market economies allows opportunities for these foreseeable harms to occur. Tombs and Hillyard (2004) argue that the most damaging and far reaching harms stem from the operation of market-based economies which are fundamentally characterised by growing inequalities between the wealthy and the poor. Harms within these economies can be a result of a variety of factors such as government policy that redistributes wealth from the poor to the rich and from the constant demand for profit by corporations above the well-being of citizens/workers (Tombs and Hillyard, 2004). It

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2 In relation to Pemberton’s definition of socially mediated harm, Presser (2013) argues that it is reasonable for social harm thinkers to study harms that are unintended and unforeseen as long as the possibility of a harm occurring was foreseeable.
is further argued by Pemberton (2016) that capitalist markets are not natural or eternal but are the result of social actions and agency; they can be manipulated by states and corporations and therefore the harms that arise from these markets are preventable and foreseeable.

The definition of social harm continues to evolve with each new approach attempting to refine the definition of harm into events, actions or policies that can be measured and studied within society. As academics continue to explore the potential of the social harm approach, some have argued that social harm lies beyond the field of criminology and should be studied through a new discipline (labelled ‘zemiology’), one that does not have a history of relying on individual positivist theories past of individual positivist theories. Copson (2018) states that zemiology has emerged as a critique to criminology and has raised questions about criminology’s historical relationship to power. Proponents of placing social harm within zemiology rather than criminology have argued that focusing on harm instead of crime is a more effective way of identifying social structures that deliberately disadvantage and oppress certain groups in society (Copson, 2018). However, others believe that the social harm approach can sit within the theories of critical and radical criminology as, like social harm, these perspectives focus on challenging the existing power structures in society (Copson, 2018). Regardless of the debate around where the social harm approach sits in a theoretical sense, the definition of what constitutes harm has become clearer. Harm is not solely a result of interaction between individuals, it can also be a result of deliberately neglectful actions by the state or corporations in the pursuit of power and wealth. These actions can result in physical harms through lack of regulation such as workplace injuries, financial harms such as poverty, or psychological harms resulting from the uncertainty and lack of economic security within neo-liberal regimes. While such harms are not considered criminal or illegal by the state, the victims of these harms may still suffer comparable injuries and endure similar social and economic consequences as acts that are traditionally seen as crimes. For this research I draw on the definitions of harm as proposed by Hillyard and Tombs (2004) and Pemberton (2016) as their focus on foreseeable harms can also be applied to gendered harms such as family violence which are impacted by the structural inequalities within New Zealand’s neo-liberal economy.

**Recognising the Patriarchy**
As detailed above, social harm literature has focused on analysing harms within neoliberal economic regimes, focusing on state and corporate actors as the powerful groups in society that perpetrate harm. However, within this material, there is little consideration given to the role of the patriarchy in neoliberal societies. The patriarchy is defined by Dekeseredy (2021, p. 623) as:

*a hierarchical organisation of social institutions and social relationships that allows men to maintain positions of power, privilege and leadership in society. As an ideology, the patriarchy rationalizes itself. This means that it provides ways of creating acceptance of subordination not only by those who benefit from such actions but also by those who are placed in such subordinate positions by society.*

The social harm approach has largely turned a blind eye to the patriarchal forces within society that perpetuate harm. This has meant that harms that disadvantage women specifically have not been given the same attention as those that disadvantage the working and middle class. Hunnicutt (2009) argues that patriarchy is a chief characteristic of social structures, however it is easily masked by other forces within neoliberal regimes and can only been “seen” if a research lens is calibrated to gauge it. Therefore, without a clear recognition of the patriarchy as an oppressive force by social harm thinkers, it will continue to remain an invisible but powerful perpetrator of harm. Similarly, a recognition of the patriarchy within the social harm approach allows for the exploration of harms that are related specifically to gender (as well as those related to ‘race’, sexuality and class). As western society has adapted from a Keynesian economic structure to a neo-liberal one, so too has the patriarchy (Dekeseredy, 2021). Women now have the right to work in any industry they ‘choose’, yet are often underpaid next to their male counterparts and are still underrepresented in management positions. Women are seen equally in the eyes of the law yet continue to face uphill battles for justice in sexual and domestic violence cases. Further, women are still often portrayed in the media in ways that represent traditional family values such as being portrayed as doting housewives, which reinforces patriarchal ideas of how women should be viewed in society. While progress has been made on women’s rights since the women’s liberation movement, the rise of campaigns such as #MeToo have shown that the patriarchy is still a dominant oppressive power structure that works within neo-liberal economies and applies a layer of harm that is focused solely on oppressing women (Hunnicutt, 2009).
Given these realities, any social harm approach should view this layer of harm as equal to the harm caused by the exploitation of workers and citizens in the pursuit of profit by state/corporate actors, as it highlights how different power structures can work within neo-liberal regimes to disadvantage not only the working class but also gender. As mentioned previously, a key tenet of the social harm approach, as proposed by Hillard and Tombs (2004), is to regard harms that are foreseeable as criminal. With regards to gender, this would involve looking at government policies that have an impact on women’s employment, their incomes, and their access to safety when in violent relationships. If these policies have been shown to negatively impact on women and result in harms such as poverty, injury or death then these policies should be viewed as criminal and attention should be drawn to the unequal power structures that have perpetuated these harms.

Utilising a social harm approach to analyse gendered harms has been effectively demonstrated by criminologists such as Armstrong (2021) who drew on Pemberton’s (2016) definition of social harm when studying the decriminalisation of sex work in New Zealand. Armstrong (2021) identified harms perpetrated by patriarchal forces through the criminalisation of sex work. She argued that Pemberton’s definition of social harm was beneficial in identifying harms that sex workers can experience through their profession. For example, laws which prohibit brothels from operating force sex workers to work on the streets where they are more at risk of experiencing violence. In relation to this, Armstrong (2021) argues that the ability for sex workers to flourish as human-beings in this context is diminished as a result of laws that criminalise the industry. Similarly, Canning (2019) used a social harm framework when studying female refugees and their experiences with gaining asylum in the United Kingdom. She argued that the British asylum system is deliberately designed to inflict social harms on refugees as a way to deter other asylum seekers from entering the United Kingdom. Both of these studies referred to harms that operate within neo-liberal economic regimes while also identifying how these harms should be viewed through a gendered lens as they uniquely affect women. These studies have demonstrated ways in which the social harm perspective can be used as a framework to investigate and study gendered harms. They reflect on how specific laws are used by powerful groups to specifically criminalise women and prevent them from flourishing in society. Similarly, this thesis aims to use a social harm framework to investigate how a gendered harm such as family
violence can be related to other structural harms such as poverty and how these intersect during a pandemic.

The Covid-19 Pandemic and the Exacerbation of Social Harm

When viewing social harm through a gendered lens it is clear that women have been disproportionately affected by the Covid-19 pandemic. Madgavkar, White, Krishnan, Mahajan and Azcue (2020) state that, despite only making up 39 percent of global workers, women account for 54 percent of overall job losses in the wake of the pandemic. They argue that women are more vulnerable to the economic impact of COVID-19 because of the existing gender inequalities within society. Using data from unemployment surveys, they found that, since the pandemic hit, women have made up 54% of the overall job losses in the US (Madgavkar et al, 2020). In New Zealand, the labour market statistics for the June quarter of 2020 showed that of the 11,000 jobs lost, 10,000 of them were held by women (Vergara, 2020). While the corporate sector of the economy – which is dominated by male workers – has been able to allow their employees to work from home and has offered flexible working conditions, other sectors that have high female employment have not been given those opportunities. In New Zealand, the high level of female unemployment can be attributed to women making up 60 percent of retail workers and 70 percent of hospitality workers (Vergara, 2020). Madgavkar et al. (2020) argue that women may also have had to voluntarily leave their jobs in order to care for children who could no longer attend school or childcare centres due to lockdown restrictions. In this, the pandemic reinforced the gender stereotypes within society with women expected to be the primary caregivers of children by staying at home and men became the primary breadwinners in the family. The pandemic has highlighted the precarity of the free-market economy under neo-liberalism and the harms that are associated with it. These harms are not caused by Covid-19; they are the result of structural forces that have consistently pursued policies that have eroded the social safety net and have reshaped the economy to favour profits over people (Pemberton, 2016). The disproportionate effects that these harms have had on women has also shown that the patriarchy is firmly embedded within these structural forces and needs to be viewed by the social harm approach as a power structure alongside capitalism.
Using family violence as a case study to analyse social harm during a pandemic

Applying the social harm approach to investigate family violence during the Covid-19 pandemic is useful in determining how gendered social harms can be exacerbated during a pandemic. A report published in the United Kingdom stated that the pandemic created “the perfect storm of challenges for survivors and the services supporting them. The Covid-19 virus and the lockdown measures designed to fight it, gave perpetrators a tool that they quickly used for coercion, manipulation and fear” (Davis, 2020, p.37). However, while lockdown restrictions made it harder for victims/survivors to access support and empowered perpetrators of violence, it is important to view the increase in family violence during this time within a larger context. Family violence should not be viewed at an individual level between the perpetrator and the victim/survivor as this ignores the historical and social conditions that have allowed family violence to become endemic across societies.

The effects of family violence on victims/survivors do not stop when they are able to seek help or when they escape the violent relationship. Rather, these effects are ongoing and victims/survivors often face a number of barriers that make it difficult to establish stability. Difficulties in finding suitable accommodation, loss of income and lengthy court battles that lead to re-victimisation are just some of the obstacles that victims/survivors of family violence face. Viewing these barriers through the social harm perspective exposes the harm that victims/survivors face when seeking support and in turn highlights the government policies that have disadvantaged victims/survivors. With the family violence statistics showing that women are overwhelmingly the victims in family violence cases, viewing these harms through a gendered lens is also necessary (Health and Quality Safety Commission, 2017). In doing so, these harms can be seen as a result of neo-liberal and patriarchal power structures that have consistently undermined the role of women in society. When viewed in relation to the Covid-19 pandemic, the government’s response in classing NGOs that support victims/survivors as an essential service shows that they were able to foresee a rise in cases related to family violence. However, as shown in detail below, the structural harms that impact on violence such as financial hardship, job insecurity and adequate housing have all worsened due to the Covid-19 pandemic. These are harms that have been magnified by the pandemic, yet they have always existed in society, and they impact heavily on victims/survivors of family violence.
In this, family violence is a useful case study to explore how social harms can be exacerbated during a pandemic.

**Conclusion**

This chapter has traced the evolution of the social harm perspective from its origins in critical criminology to its current theoretical position. While definitions of the social harm approach have varied between academics, the core tenets of the perspective are focused on moving criminology away from studying crime and criminality and instead focusing on structural harms that result in death or injury. Social harm thinkers argue that criminology’s focus on legal definitions of crime and justice have ignored the wider power structures that are responsible for harms such as poverty. Like homicide or assault, these harms can also result in death and injury, yet they are treated differently by the criminal justice system. A social harm perspective views harm in the context of power structures, with the majority of the social harm literature focused on state and corporate actors within neo-liberal Western states. While there is social harm literature emerging that places patriarchy and gender relations into the social harm debate, there is still room within the social harm literature to include patriarchy as a legitimate power structure alongside capitalism/neo-liberalism.

The Covid-19 pandemic has placed a magnifying glass on harms such as poverty and inequality and has highlighted the precarity of the free-market economy that has allowed these harms to be exacerbated. The impact of these harms has been disproportionately felt by women who have faced a high level of redundancies globally compared to men as a result of the pandemic. Similarly, a rise in violence against women has been reported in countries around the world since the start of the pandemic. Viewing these harms through the social harm perspective highlights how the patriarchy is still a prominent structural force that impacts on gendered harms and should be recognised as such by the social harm approach. In the following chapter I detail New Zealand’s experience with family violence highlighting how the high rates of violence against women should be viewed within the context of gendered social harm as the family violence is related to patriarchal power structures.
Chapter Three: Family Violence in New Zealand

As the Level Four lockdown was announced in New Zealand on 21st March 2020, media outlets and NGOs raised concerns about the effect that the severe restrictions on movement would have on the rates of family violence. Radio New Zealand and Stuff News reported on an increase in domestic violence calls to police immediately following the news that New Zealand would be moving to Level Four restrictions (Foon, 2020; Franks, 2020). These reports mirrored those from other parts of the world with The Guardian stating: “women and children who live with domestic violence have no escape from their abusers during quarantine, and from Brazil to Germany, Italy to China, activists and survivors say they are already seeing an alarming rise in abuse” (Graham-Harrison, Guiffrida, Smith and Ford, 2020). In their submission to the UN Special Rapporteur on Violence Against Women, the New Zealand Human Rights Commission stated that the impact of COVID-19 and the lockdown on family violence should not be viewed in isolation to the general problem of violence against women and children (Sumeo and McGregor, 2020). While New Zealand’s health and economic response to the coronavirus has been lauded, the country’s family violence statistics have been described as a pandemic that the country has failed to conquer (Thornburn, 2020).

This chapter explores New Zealand’s high rates of family violence and the patriarchal structures and harms that contribute to this violence. It discusses violence within the context of the Covid-19 pandemic and the impact that it has had on family violence rates globally, highlighting how existing social conditions and inequalities have created a ‘perfect storm’ for family violence to occur. Within this chapter I use the social harm perspective to argue that family violence is a foreseeable harm that should be viewed within the context of neo-liberal and patriarchal power structures, and that the Covid-19 pandemic has not only exacerbated family violence and the harms related to it, but has highlighted the existing inequalities within society that disadvantage victims/survivors of family violence.

The Roper Report and Family Violence Legislation

New Zealand’s dire conditions of violence against women and children in family homes has been an entrenched problem, one that has historically been viewed as a private matter within families. Historically, the role of married women in New Zealand was that of a traditional housewife while the husband was seen as the head of the family and the primary breadwinner
(Nolan, 2000). However, it is important to note that these views were not reflected within Māori culture where women were viewed as nurtures and gatherers on equal footing with men (Kōkiri, 2010). These dominant gender roles were imposed by the state, with women having few opportunities to earn a living outside of marriage and being barred from handling household finances within a marriage. Women were meant to be subservient to their husbands and physical violence was seen as an appropriate punishment if they were not (Nolan, 2000). The status of women in New Zealand since then has slowly progressed thanks to the tireless campaigns of women’s rights groups who have championed equal rights for women throughout the 20th and 21st centuries. As this fight has progressed, so too has legislation that recognises the harm of violence against women and children. However, despite family violence now being acknowledged as a serious offence by the state the current rate of cases in New Zealand demonstrate that the state is yet to take action that address the structural causes of family violence in New Zealand.

In 1986, an Inquiry to explore and investigate violence in New Zealand was commissioned by the Minister of Justice. The subsequent Roper Report3 was one of the first to recognise family violence (understood as physical and psychological violence) in the country as a growing concern. It stated that “the home, contrary to the popular belief that it is a place where support, protection and love are ensured, is, in fact, the place where most violence occurs in society, in the way of assault, rape and incest” (Ministerial Committee of Inquiry into Violence, 1987 p. 95). The report stated that while violence can be found across families from different socio-economic or ethnic backgrounds, the majority of violence cases have been found within families that are experiencing outside pressures such as financial, emotional or social hardships (Ministerial Committee of Inquiry into Violence, 1987). Adult men were identified as the main offenders in family violence and it was found that women rarely instigate violence highlighting the gendered nature of family violence. The report also specified that western society’s shift to an industrialised economy had led to an emphasis on smaller urbanised family structures. This shift, along with the effects of colonisation, had disproportionally affected Māori families who lost contact with their extended family systems and culture (Ministerial Committee of Inquiry into Violence, 1987). The report concluded that “family violence, although frequently concealed or disregarded, is endemic” and that “stress

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3 The report is commonly referred to as the Roper Report after the chairman of the Inquiry.
caused by unemployment, media images of affluence, sex role stereotyping, and alcohol abuse encourages the release of violence” (Ministerial Committee of Inquiry into Violence 1987, p 101).

The Inquiry suggested that a number of short- and long-term measures must be undertaken to address family violence in New Zealand, ranging from investment in education around harmful and abusive behaviours to diminishing the pressures placed on families by unemployment. As part of its recommendations, the report also emphasised the role of the media in shaping public attitudes towards masculinity and violence and suggested that the male image as portrayed in the media should focus on non-violent conflict resolution and non-sexist attitudes. Similarly, the report encouraged the media to promote programmes and images that reflect the multicultural nature of New Zealand (Roper et al, 1987). Despite the report being published in 1987, the recommendations are similar to current contemporary discussions around family violence in New Zealand. For example, the Joint Venture for Eliminating Family Violence and Sexual Violence emphasises the need for a change in cultural attitudes towards violence against women and advocates for long term investment strategies in areas such as education to help achieve this (Joint Venture, 2018). This highlights how there has been little change in our overall approach to preventing family violence since it was first classed as endemic in the Roper Report over thirty years ago. While there is an acknowledgement that there needs to be a change in the attitudes towards women, there has been little firm recognition that these attitudes are informed by an overarching patriarchal structure within society.

The Roper Report highlighted the extent to which violence was perpetrated in the home during a period in which family life was still viewed as private. A few years earlier Atkin, Sleek and Ullrich (1984) had argued that legislation addressing family violence in New Zealand was slow to pass due to the cultural view that criminal justice agencies should not interfere with what was seen as family business. The law had long taken a non-interventionist approach towards violence in the home. The patriarchal structuring of society meant that marriage was viewed as an indissoluble union between a husband and wife. A ‘blind eye’ was often turned when violence occurred, as the sanctity of marriage and the role of the husband as the head of the family was seen as more important than the safety of a woman or child (Atkin, Sleek and Ullrich, 1984). The first piece of legislation that recognised domestic violence as a serious
offence, the Domestic Protection Act 1982, was the culmination of a gradual shift in society’s views on violence and the changing nature of relationships. Influenced by the women’s liberation movement of the 1970s, the Act also recognised those who were in de-facto relationships (Atkin, Sleek and Ullrich, 1984; Domestic Protection Act, 1982). However, there was no specific definition of what constituted domestic violence within the legislation and the Act only recognised physical violence as abuse (Domestic Protection Act, 1982). Thirteen years later, the Domestic Violence Act 1995 amended legislative understandings of violence against women in Aotearoa New Zealand. The Domestic Violence Act 1995 recognised psychological and sexual abuse as a form of domestic violence for the first time. The Act also acknowledged financial abuse as a form of violence which included limiting access to financial resources and restricting employment and education opportunities (Domestic Violence Act 1995). This represented a shift away from the traditional views of violence as solely physical in nature and acknowledged that violence could interconnect with behaviours that were not just physical.

The most significant change to family violence law in recent years can be seen in the Family Violence Act 2018. The Family Violence Act 2018 changed the terminology from domestic violence to family violence, thus recognising that abuse is not always a private or domestic act but should be conceptualised within extended families/whānau and the wider community (Te Puni Kōkiri, 2010). In the Act, family violence is legally defined as violence inflicted against a person “by any other person with whom that person is, or has been, in a family relationship” (Family Violence Act, 2018). The Act specifies that the term violence includes physical, sexual and psychological abuse and specifies that violence against a person also includes patterns of behaviour that are coercive or controlling (Family Violence Act, 2018). The Act expanded upon the definition of psychological abuse and harassment to include acts such as watching or loitering around a person’s home and ill-treatment and abuse of a person’s pet. As well as a change in terminology, the Act also expands on definitions of harm and recognises harassment and coercion as serious forms of abuse. The Family Violence Act 2018 also includes a set of principles that guide the purpose of the Act with the first of these principles stating that “family violence in all its forms is unacceptable” (Family Violence Act, 2018, 4a). Principle 4(b) acknowledges that harm is cumulative and that behaviour that may seem minor or trivial are part of a pattern of abusive behaviour. Principle 4(j) states that victims of family
violence should have access to services to help secure their safety from family violence and principle 4(o) states that access to the court for victims should be speedy, inexpensive and simple (Family Violence Act, 2018, 4b, 4j, 4o). The passage of the Family Violence Act (2018) and the principles that guide it represents a recognition within New Zealand society that violence in the home should not be tolerated. However New Zealand’s response to family violence often falls short of these principles and the lack of any substantial change in our family violence statistics since the release of the Roper report demonstrates how our institutions have failed to recognise the wider structural contexts which have an impact on violence.

Family Violence Statistics

Williams (2019) describes the problem of family violence in New Zealand as both very simple and very complicated:

It is simple because most people agree that violence in families should not be tolerated. However, it is complicated because (among other things) it speaks to our beliefs about relationships and gender, about who should be responsible for family and whānau wellbeing in our communities and how public and private resources should be used (Williams, 2019 p. 29).

Both government and NGOs have published reports detailing the extent to which family violence occurs in New Zealand which are discussed below. The studies show that family violence is not only widespread in New Zealand but is also a gendered harm with women making up the majority of victims/survivors in each study. As Williams (2019) suggests, this speaks to how women are still disadvantaged in New Zealand society due to patriarchal beliefs stemming from historical views of marriage and relationships. This also highlights why a gendered lens is important when analysing social harms. Family violence is a gendered harm that overwhelmingly affects women and has been identified as a significant issue in New Zealand, yet the rates of violence remain high. Viewing violence against women through the social harm perspective helps to identify the structural harms that have an impact on violence.

In 2014, the Ministry of Justice released results from the Crime and Safety Survey (NZCASS), based on interviews with 5,235 New Zealanders. The report found that 26% of women
surveyed and 14% of men had reported experiencing at least one form of abuse which included assault, threats and damage to property from an intimate partner during their lifetime. The survey also found that women were more likely to be offended against by an intimate partner while men were more likely to be offended against by a stranger. The report also stated that being female was one of the best predictors of violent interpersonal offences by an intimate partner (Ministry of Justice, 2014).

Similarly, the New Zealand Crime and Victims Survey (2019) documented the extent of family violence cases. The survey found that, between October 2018 and September 2019, 87,000 victims experienced 250,000 incidents of violent offences by family members, which equated to an incident rate of 6 per 100 adults (Ministry of Justice, 2019). These offences included physical assault, sexual assault, harassment and threatening behaviour. Of those victims, 53,000 reported experiencing violence from an intimate partner (Ministry of Justice, 2019).

The differential experience of family violence

The New Zealand Crime and Victims Survey (2019) also reported that women were more than twice as likely to experience violence by a family member than men, and that young adults aged 15-29 were twice as likely to experience violence by family members (Ministry of Justice, 2019). The survey also considered the socio-economic status of the victims of family violence. The results showed that those on low incomes were significantly more likely to experience offences committed by a family member, while those on high incomes ($100,000-$150,000) were significantly less likely to experience offences committed by a family member (Ministry of Justice, 2019). The most striking statistic to emerge from the report found that almost 30% of the entire population (1,131,000 adults) had experienced a form of intimate partner violence or sexual violence at some point in their life with women being 2.5 times more likely to experience IPV than men. These figures show that gendered harms such as family violence also intersect with other social harms such as financial insecurity. These harms should be viewed within the wider context of patriarchal power structures that work alongside neo-liberal regimes to oppress women.

Family violence in the justice sector

Criminal justice agencies such as the New Zealand Police have continued to focus resources into addressing family violence with family violence incidences making up a large portion of
recorded criminal cases. Police data on family violence shows that, in 2018, New Zealand Police carried out 133,022 family harm investigations with 16,254 cases ending in the arrest and prosecution of the perpetrator. Over 17,500 Police Safety Orders$^{4}$ (PSO) were issued in 2018 as a result of family harm investigations and one third of all investigations occurred in the Auckland region (New Zealand Police, 2019).

Ministry of Justice data shows that, in 2020, 15% of the finalised charges in court were for family violence offences, which equates to 31,665 family violence cases. Half of all family violence charges in 2020 were for assault (15,685), while 18% were for offences against justice, the majority of these offences being a breach of a protection order. Other charges included abduction and harassment offences (11%), property damage (9%) and sexual assault (6%). Of the 13,690 people charged with at least one family violence offence in 2020, 88% were male and 40% were under the age of 30 (Ministry of Justice, 2020). In their annual report for 2019/2020, the National Collective of Independent Women’s Refuge reported that 53,926 referrals were made during the year. They also reported that 61,763 bed nights in safe houses had been offered to victims/survivors of violence, while there were 96,108 bed nights in emergency accommodation/transitional housing. The report stated that 42,510 calls were made to Women’s Refuge during the year, which equated to 116 calls per day. Of the referrals made, 41% were Māori, 41.2% were Pākehā, 5% were Pasifika and 1.9% were Asian, while the majority of referrals (74.5%) were made by the police (NCWR, 2020). These surveys show that family violence is a widespread phenomenon in New Zealand with cases reflected in all parts of New Zealand society including different ethnic communities and socio-economic backgrounds.

Data on family violence deaths in New Zealand demonstrate the extent to which family violence is a gendered harm. The Family Violence Death Review Committee (2017) published a report that examined family violence deaths in New Zealand between 2009 and 2015. The report looked at three main types of family violence deaths, intimate partner violence (IPV), child abuse and neglect (CAN) and Interfamilial violence (IFV). The key findings of the report showed that there were 194 family violence deaths between 2009 and 2015 with almost half

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$^{4}$ Police Safety Orders are a temporary order issued by the New Zealand Police to protect victim/survivors of family violence. A person who is issued with a PSO may not contact the victim/survivor by any means and prevents them from entering the household/land of the victim/survivor. The children of the victim/survivor are also automatically covered by the PSO (NZ Police, 2021).
(n=92) of these deaths being a result of IPV. In 98% of these IPV deaths women were the primary victims.

Māori have also been identified as being over-represented in family violence statistics. Lievore, Mayhew and Mossman (2007) found that 49% of Māori women have experienced intimate partner violence at some point in their life compared to 24% of New Zealand European women. They also found that 52% of Māori women had experienced one form of IPV during their current relationship. The New Zealand Crime and Safety Survey (2014) found that, in 2013, Māori (11%) were more likely than the New Zealand average (5%) to have been victimised at least once by an intimate partner ( Ministry of Justice, 2014). In 2017, the Ministry of Māori Development reported that Māori are more than twice as likely to be a victim of a violent offence committed by a family member and are more than twice as likely to experience one or more coercive and controlling behaviours from a current partner (Te Puni Kōkiri, 2017). The Ministry also reported that 45% of unique offenders who perpetrated a serious crime against a family member in 2016 were Māori and that 37% of referrals to refuge were for Māori women and children (Te Puni Kōkiri, 2017). The New Zealand Crime and Victims Survey (2019) found that Māori women were significantly more likely to experience family harm than Pākehā or Pasifika women ( Ministry of Justice, 2019). When analysing family violence deaths Māori were three times more likely to be both victims and offenders in deaths related to IPV. Māori children aged between 0-4 years were four times more likely to be killed in incidents related to CAN than non-Māori children and in deaths related to IFV Māori were four times more likely to be deceased and five times more likely to be offenders (Health Quality and Safety Commission, 2017).

The impacts of family violence

Victim/survivors also face a range of different psychological and emotional harms that have a lasting and detrimental effect on their mental health and wellbeing. Fanslow and Robinson (2011) documented the lifetime and 12-month prevalence of IPV amongst a sample of New Zealand women (n=2, 855, aged between 18-64) in Auckland and Waikato regions, examining the different types of harm that women face from abusive partners. The questionnaire asked about three specific forms of violence (physical violence, sexual violence and psychological violence, which included being insulted, humiliated, intimidated or threatened). It also asked if the women had experienced controlling behaviours, including restrictions on contact with
family and friends or a partners’ insistence on knowing their whereabouts at all times (Fanslow and Robinson, 2011). Fifty five percent of women had experienced at least one type of IPV in their lifetime and 32.7% of women reported experiencing more than one type of IPV in their lifetime. Of the women who had experienced more than one type of IPV, almost all reported experiencing psychological and emotional violence (Fanslow and Robinson, 2011). When reporting on the 12-month prevalence of violence, 18.2% of women reported experiencing one or more types of IPV, 13.8% had experienced psychological/emotional violence and 4.8% had experienced physical, sexual and psychological abuse (Fanslow and Robinson, 2011). Similarly, Lievore, Mayhew and Mossman (2007) identified psychological abuse as the most common type of family violence reported by women. They stated that men used a higher rate of psychological abuse against their partners than other types of violence. The Women’s Safety Survey (1996) also found that more than two-fifths of women had reported experiencing at least one type of psychological abuse from their current partner and almost all women surveyed reported experiencing psychological abuse from an ex-partner (Morris, 1997).

The effect that family violence has on victims can be detrimental even after the violent relationship has ended. Fanslow and Robinson (2004) found that women who had experienced moderate physical violence by an intimate partner were 2.5 times more likely to report suicidal thoughts or emotional distress in their lifetime compared with women who had not experienced violence from an intimate partner. Women who had reported experiencing severe physical abuse (defined as having been slapped, pushed, shoved or having something thrown at them) from an intimate partner were four times more likely to report psychological and emotional distress than those who had not. Fanslow and Robinson (2004) also found that attempted suicides amongst women who had experienced physical abuse were more common than those who had not experienced violence. Gulliver and Fanslow (2013) analysed the relationship between suicidal thoughts and IPV in a sample of New Zealand women. Their study recruited 2,855 women of which 956 reported that they had experienced physical or sexual violence from a partner. Of the latter group 757 said that they had contemplated suicide following the abuse. The women surveyed reported that the violence they endured from their intimate partner severely affected their mental health even after they had left the relationship. Findings from the New Zealand Crime and Victims Survey
(2019) showed that there were a number of mental health and emotional impacts that were reported by the victims of family violence. Forty four percent of victims reported experiencing anxiety and panic attacks while 43% reported a loss of confidence and a feeling of vulnerability. Forty two percent of victims experienced fear and difficulty sleeping and 40% reported that they had experienced depression as a result of their abuse, 10% of respondents also reported an increased use of drugs, alcohol and medication. On a scale of 0 (not affected at all) to 10 (very affected) 77% of respondents said they were affected by their family members abuse at level five or more, with 26% saying they were affected at the highest level (Ministry of Justice, 2019).

**Barriers to disclosure**

It is important to note that while the above statistics show that family violence is a widespread issue that affects a large part of New Zealand society, it is likely that the official statistics do not capture the full extent to which family violence is perpetrated in New Zealand. For example, the New Zealand Crime and Safety Survey (2014) found that 76% percent of cases related to family violence went unreported to police (Ministry of Justice, 2014). Using data from their violence against women study, Fanslow and Robinson (2009) examined help-seeking behaviours of women who had experienced violence from an intimate partner with results showing that the majority of women had not reported their abuse to police. However, 76.7% (n=956) of the women surveyed had told at least one person about their experiences with a violent partner with most women saying that they had confided in a friend or family member. Women who had experienced IPV most frequently had told family members, with 66.1% of women telling either their parents or their siblings about their abuse. Only 12.8% of women disclosed their abuse to police and 23.3% indicated that they had not disclosed their abuse to anyone (Fanslow and Robinson, 2009). 48% of the sample had not reported their abuse to a formal support service such as Women’s Refuge.

International literature shows that victims/survivors of family violence face a number of barriers that prevent them from disclosing abuse to authorities. Boethius and Åkerström (2020) found that women who were in long-term abusive relationships feared violent repercussions from their abuser if they were to report them to the police or social services. Another barrier that was identified was women who had children were concerned about issues over custody, with a fear that they may lose their children (Boethius and Åkerström,
Overstreet and Quinn (2013) found that victims/survivors of violence feared being stigmatised if they were to disclose their abuse and did not want to be labelled as weak or foolish for staying in an abusive relationship. Trepidation around disclosing abuse to authorities is also reflected in New Zealand studies with victims/survivors facing the same barriers that have been identified in international literature. In Fanslow and Robinson’s (2009) study they found that the predominant reason given for not seeking help from these services was that women felt like the violence they endured was normal or not serious; the second most common reason was that women felt embarrassed or ashamed; the third was that women feared their partner might retaliate if they sought help. Fanslow and Robinson (2009) also found that a small number of respondents (12.4%) stated that they felt they couldn’t leave the relationship due to difficulties in finding alternative accommodation and did not have the financial resources to support themselves or their children. The lack of reporting to police highlights the disconnect and mistrust between victims/survivors and the institutions that are meant to help them. There is still a fear that abusers will be able to retaliate even with assistance from the police or the courts.

When compared to other wealthy democratic countries New Zealand’s family violence statistics are shameful. When measuring the lifetime prevalence rate of violence amongst women New Zealand places fourth amongst OECD nations with 35.5% of women reporting experiencing violence at least once in their lifetime compared to the United Kingdom with 29% and Australia with 16% (OECD, 2021). The World Health Organisation reports that 30% of women worldwide have experienced either physical or sexual violence from an intimate partner with 38% of all murders of women being committed by intimate partners. Globally, over a quarter of women aged 15-49 years who have been in a relationship have been subjected to intimate partner violence at least once in their lifetime (WHO, 2013). When looking at violence against children, New Zealand has the fifth highest rates of child abuse amongst OECD nations (OECD, 2021). The World Health Organisation reports that three in four children aged 2-4 years regularly suffer abuse at the hands of a parent or caregiver and that one in four children live with a mother who is a victim of intimate partner violence (WHO, 2020). UN Women (2021) has labelled identified violence against women and children as a major public health problem, which affects women’s general well-being and prevents women from fully participating in society as free and equal citizens.
Family violence and social harms

These statistics paint a grim picture of the extent of family violence in New Zealand and support the claim made by the Roper Report that violence within the home is endemic, and has been occurring for decades without any substantial reduction in case numbers. The initial findings of the Roper Report are unfortunately still relevant today. Family violence is still viewed as taboo, with most cases going unreported to the police which demonstrates that violence in the home is still seen as a private issue. This reflects the extent to which patriarchal ideas and beliefs about women’s roles in intimate relationships are still prevalent within New Zealand society, with men still viewed as the dominant partner in the relationship. These beliefs, coupled with the victims/survivors’ fear of losing children through lengthy, retraumatising court battles, or being burdened financially, has ensured that the true extent of family violence in New Zealand remains hidden. The data highlights the gendered nature of family violence within New Zealand with women being the primary victims in family violence cases. This presents a stark contrast to the principles laid out in the Family Violence Act 2018. While there is a genuine acceptance that family violence should not be tolerated by society, women are still facing high levels of violent behaviour within relationships which demonstrates that the institutions tasked with preventing family violence such as the police and criminal justice system are failing to do so. When viewed within the wider context of the social harm perspective it can be argued that the current approach to addressing family violence does not recognise the structural harms that impact on violence. While family violence is viewed as a gendered harm it is not viewed within the wider context of a patriarchal power structure, one that disadvantages women not only within the home but within society in general. The marginalization of women in other parts of society, such as inequality in employment opportunities and equal pay, further entrenches patriarchal beliefs. Eliminating these structural inequalities should be part of our response to family violence.

COVID-19 and Family Violence on a Global Scale

The coronavirus pandemic has led to a number of public health strategies as governments try to stem rising infection rates and combat new, deadlier strains of the virus. The most common and widely used of these have been enforced lockdowns and restrictions on movements. With
multiple waves of the virus being recorded throughout 2020 and 2021, countries have oscillated between severe restrictions and limited freedoms with schools, workplaces and business facing constant uncertainty around how and when they can operate at pre-pandemic levels. Slogans such as “stay home, save lives” in New Zealand and “protect the NHS” in the United Kingdom have attempted to foster a sense of unity among citizens. However, as the previous statistics have so clearly shown, home is not always a safe place for everyone. Bradbury-Jones and Isham (2020) state that in the COVID-19 crisis, the message to stay at home can have major implications for women and children with abusive partners as “home” can be a space where physical and psychological harm occurs. Lockdown conditions can restrict avenues of escape and can further enable abusers who use controlling and coercive behaviours, making it easier for them to isolate their partner from their friends and family (Bradbury-Jones and Isham, 2020). In early 2020 the United Nations deemed violence against women and children to be a ‘shadow pandemic’, stating that violence was rising due to the uncertainties of the Covid-19 crisis (UN Women, 2020). At that time, the United Nations reported a 30% increase of domestic violence in France, Cyprus and Singapore and a 25% increase in calls to domestic violence helplines in Argentina (UN Women 2020).

In the United Kingdom, the Women’s Aid charity organisation commissioned a report that looked at the experiences of support services and of victims/survivors of violence during the first lockdown period in the UK (23 March to 31 May 2020). Of the victims/survivors interviewed, 76.1% (35 out of 46) reported having to spend more time with their abuser while 71.7% (33 out of 46) reported that due to the lockdown restrictions, their abuser had more control over their lives. Of those living with their partner, 61.3% (19 out of 29) said that the abuse had worsened since the lockdown began and 48.4% (15 out of 29) said that they felt that they could not get away from their partner due to the lockdown restrictions (Davidge, 2020). Victims/survivors also felt more afraid during the lockdown and felt isolated from family and friends. The report noted that perpetrators were using the economic impact of the pandemic as a tool of abuse, with abusers blaming their partner for the effect that the pandemic had on their job security (Davidge, 2020). The lockdown and gathering restrictions also had an effect on women’s safety refuges across the UK. Many refuges were unable to house multiple families at once due to social distancing requirements, meaning space
available in temporary accommodation for victims/survivors of violence was heavily limited (Davidge, 2020).

In Australia, survey data from 40 frontline family and domestic violence support services across New South Wales was gathered following the announcement of restrictive movement measures in the state on 16 March 2020. Half of the services surveyed in April 2020 had experienced an increase in client numbers since the pandemic began and 75% reported that they had perceived an increase in the complexity of client needs. 50% reported that clients were experiencing escalating or worsening violence and 47% said that there had also been an increase in the number of clients who had reported experiencing violence for the first time (Foster and Fletcher 2020). Following the easing of restrictions in NSW, in August-September 2020, a similar survey with 53 support services showed that organisations were still dealing with an increasing number of clients, despite the end of lockdown measures. Forty five percent of service providers (n=34) said that client numbers had continued to rise since the Covid-19 restrictions had lifted and 29% reported that client numbers were higher than 2019 but were steady since the restrictions were lifted. Eighty percent of services stated that despite the easing of restrictions there was an increase in the number of clients categorised as ‘high risk’ and 86% stated that there had been an increase in the complexity of client needs such as financial aid and emergency accommodation, with women often requiring extra support to buy groceries or pay for bills (Foster, Boyle, Psomoulis, Nguyen, Sternberg & Mann, 2020).

In the USA, data from 911 call centres was analysed by Nix and Richards (2021) who found a spike in domestic violence calls to police in six major US cities following the issue of stay-at-home orders by officials. Nix and Richards (2021) collected data from Cincinnati, Phoenix, Seattle, New Orleans, Salt Lake City and Montgomery County spanning from 1 January 2018 to 27 December 2020. The lockdown measures had an effect on domestic violence calls to police, with five out of the six cities reporting a significant increase in calls in the first week of lockdown. While restrictions differed in each city, the researchers found that the cities with the most severe restrictions experienced the greatest number of calls. Following the easing of restrictions, domestic violence calls for service declined in five of the six cities.

The Covid-19 pandemic has had an impact on family violence around the world. This has been felt most prominently within the family violence support sector as seen in the United Kingdom
and Australia. These organisations faced increased demand for their services as lockdown restrictions placed victims/survivors in isolation with their abusive partners with severely limited avenues for escape. The increase in financial assistance needed for clients highlights how family violence intersects with structural inequalities such as economic insecurity creating layers of harm for victims/survivors.

**COVID-19 and the Exacerbation of Harm and Violence in NZ**

The United Nations’ prediction that violence against women and girls would only continue to rise as the economic and public health impacts of the pandemic rippled across societies highlights the structural issue of gendered harm. The pandemic has demonstrated that, even in the wealthiest of nations, women not only face abuse and violence but also structural inequalities. The social conditions triggered by the Covid-19 pandemic within neo-liberal economies have been described as a ‘perfect storm’ for family violence as economic insecurity and uncertainty can lead to high levels of anxiety and stress among perpetrators of violence (Spiranovic et al, 2021). The high rate of female unemployment as mentioned in the previous chapter has meant that many households have had to resort to a single income which has placed financial strain on families. This, along with uncertainties about job security and the continuing effects of the pandemic, have been identified as stressors that can lead to violence.

Results from the New Zealand Crime and Victims Survey (2019) showed that financial and employment status was a risk factor for victims of family violence. The survey found that those who were unemployed or on low incomes were more likely to report harm from a family member (Ministry of Justice, 2019). Peterman et al. (2020) state that economic uncertainty can lead to poor coping strategies which in turn can result in chronic stress and trigger arguments or conflicts which then leads to violence. Economic stress as a predictor for violence has been documented during the Global Financial Crisis. Schneider, Harknett and McLanahan (2016) found that household unemployment during the Global Financial Crisis was positively related to abusive behaviours. Their study examined data from the Fragile Families and Child Wellbeing longitudinal study which interviewed families in 20 US cities at

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5 Low income was identified at $10,000 or less
different points in time. Their sample consisted of 20 mothers interviewed periodically between 2001-2010 with a specific focus on questions related to IPV. Economic hardship was associated with violent or controlling behaviour from men to their wives or partners. Women who were in abusive relationships reported a rise in controlling and coercive behaviours following their partner being made redundant, and this behaviour increased if both couples were unemployed. Schneider, Harknett and McLanahan (2016) concluded that economic upheaval had a disruptive effect on relationships and the downturn in the economy during the financial crisis led to an increase in men’s controlling behaviours towards their wives or partners. Renzetti (2009) suggests that cultural gender norms may explain why periods of unemployment and financial hardship might have an effect on violence against women. She states that the cultural expectation that men should be the primary earners in a relationship could lead to high levels of stress amongst men if they are unable to meet this expectation. Men who are unsuccessful at reaching the traditional patriarchal goal of financial success may resort to violence as a way to reassert their masculinity through dominance and control of their wife or partner (Renzetti, 2020). This can be reflected in Schneider, Harknett and McLanahan’s (2016) study as violence was higher in relationships where women were still employed but their partner was not. This relates back to the traditional view of marriage that has been well embedded within New Zealand social relations in which the man is seen as the primary earner in the household.

At the beginning of the lockdown in March 2020, the NZ government introduced a six-month rent freeze and a temporary ban on evictions, however it was reported that in some parts of the country rents increased by 40 percent immediately after the rent freeze ended (Stuff, 2021). As well as the COVID-19 relief payment the government introduced a permanent $25 increase to the base rates of main benefits. However, unlike the relief payment, the jobseeker and child support payments are based on joint income testing. If an applicant is in a relationship and their partner is employed then their payment is dependent on how much their partner earns (Humpage and Neuwelt-Kearns, 2020). This has created two classes of benefit recipients during the lockdown and its aftermath, with those on the COVID-19 relief payment able to receive a payment of $490 a week, untaxed, regardless of whether their partner was still employed. This was almost double the $250 that a recipient on job seeker support with a working partner would receive (Humpage and Neuwelt-Kearns, 2020). The
Child Poverty Action Group surveyed 269 NZ benefit claimants during the months of August and September 2020, the majority of the respondents (83%) were female. They found that COVID-19 had a dramatic impact on personal incomes with respondents indicating that they had to access further benefits and emergency payments to afford basic household needs. Sixty-five percent were unable to buy groceries and other food, 39% were unable to pay for utilities such as gas/electricity and 91% were unable to pay their rent or mortgage (Humpage and Neuwelt, 2020). Despite the financial support schemes implemented by the government the economic impact of the pandemic has had a disproportionate effect on those who are most at risk of experiencing family violence.

While the New Zealand government has been able to prevent an economic and public health disaster through its “go hard and go early” response, the existing social crises within the country have not been able to avoid the negative effects of the pandemic. Henrickson (2020) argues that the most vulnerable sectors of the New Zealand population have been disproportionately affected by the impact of Covid-19 restrictions, noting that food insecurity, housing, income support and employment have been exacerbated as part of the government response, all of these problematic effects have affected women most deeply. A social impact report published by the Salvation Army (2020) highlights the extent to which these harms have been compounded. Between April and August 2020 there was a 22% increase in applicants for social housing with over 20,000 applicants looking for housing in August. The report also shows a dramatic increase in the Emergency Housing Special Needs Grant (EHSNG), a grant used primarily to pay for short term accommodation in motels and other temporary housing. In the quarter ending in June 2020, 9614 clients were granted an EHSNG compared to 5103 clients in June 2019. Food insecurity was also highlighted in the report as a growing concern with food parcel delivery by the Salvation Army increasing by 30% since pre-Covid levels and the report predicted that this trend would continue due to the ongoing impacts of the pandemic. When looking at income support and employment the report found that the number of people receiving the job seeker benefit had increased by 41% from February to September 2020 (Social Policy and Parliamentary Unit, 2020).

When viewed through the lens of the social harm perspective it is clear that the pandemic has exacerbated social inequalities within society with women and other marginalized groups, being pushed further into poverty. However, the pandemic has also highlighted existing
harms within society which is reflected in the government’s support package. The rent freeze placed a spotlight on the housing crisis in the country with many renters struggling to find new accommodation after being priced out of their current rentals once the freeze was ended (Stuff, 2021). The two-tiered benefit system in which the Covid-19 relief payment was not subject to the same requirements as the job-seeker support benefit, demonstrating the difficulty people face in getting financial support when they are unemployed. Similarly, the figures from the Child Poverty Action Group show that, prior to the pandemic, many families (44% of those surveyed) were already living on the poverty line and struggling to afford basic necessities such as food and electricity. These issues have been compounded by the pandemic and have highlighted the precarities of a neo-liberal economic power structure where the erosions of social safety nets over time have now left a portion of the population struggling to survive. The government’s decisive action to introduce financial packages to try and stem the effects of the pandemic on the economy show that the state has the resources to help the most vulnerable in society, however these packages were largely targeted at business rather than households (Hickey 2020). When viewed alongside the family violence crisis in New Zealand, the same decisive action has not been taken despite the first principle of the Family Violence Act 2018 stating that family violence in all forms is unacceptable.

Conclusion

The pandemic has exposed the existing structural inequalities between gender, class and race, and has exacerbated the harms that these groups face. Globally the pandemic continues to disrupt everyday life with deadlier waves of the virus forcing countries to continue restrictive measures that, while necessary to prevent the virus spreading, have exacerbated environments in which violence and harm can flourish. The systemic underreporting of violence to the police suggests that the rates of family violence during the pandemic are higher than what is officially being reported (Sumeo and McGregor, 2020). The impact of the pandemic on family violence has been felt around the globe. Lockdown restrictions have meant that victims/survivors of violence have had to self-isolate with their abusive partner with limited opportunities to seek help. Financial uncertainty due to the economic impacts of the pandemic along with existing social conditions such as food insecurity, unemployment and living costs have created immense stress amongst families and fostered environments in
which violence can occur. These conditions coupled with existing gender inequalities has meant that a rise in family violence cases was inevitable and was a foreseeable harm predicted by the United Nations and NGOs in the family violence support sector. New Zealand’s “go hard, go early” response to the Covid-19 pandemic has been lauded as a success throughout 2020 as the country was able to keep cases and deaths low when compared to other states around the world. However, our response to the pandemic also highlights the lack of decisive action to address other crises facing the country such as family violence. With the Roper report identifying family violence as an epidemic within New Zealand homes over three decades ago, little has been done since then to dismantle the structural inequalities and patriarchal systems that disadvantage women. This is why it is important for the social harm perspective to recognise patriarchy as a structural force that perpetuates harm, as it has worked within New Zealand’s neo-liberal economy to subvert policies addressing the structural harms that relate to violence against women.
Chapter Four: Methods

This research sought in-depth data about how gendered social harms such as family violence can be exacerbated during a pandemic. To achieve this I decided that a qualitative research design which focused on the experiences of key informers within the family violence support sector was appropriate. Within this chapter I outline the epistemological and theoretical underpinnings of the research and how it informed my decision to utilize semi-structured interviews with key-informers. Further, this chapter discusses the research design and the research process including ethics, recruitment and the collection and analysis of data. Finally I reflect on the research process and the challenges that I faced on my research journey.

Methodological Approach

The social harm perspective encompasses an examination of the unequal power structures that promote and entrench inequality in society. When researching family violence it is important to utilise a methodological approach that acknowledges historical and cultural factors that have promoted patriarchal power structures over equal rights for women. Therefore, I decided that a critical feminist methodological approach would be best suited for this project. Mason and Stubbs (2011) state that feminist approaches to research within criminology are commonly concerned with the production and authorisation of knowledge and reject traditional positivist methodologies that claim that research can produce a universal and objective account of the social world. Feminist researchers argue that traditional knowledge of our social world is underpinned by political and patriarchal structures and that this traditional knowledge should be deconstructed through the research process. Similarly, Sprague (2005 p. 2) argues that

all knowledge develops out of specific social contexts and sets of politically relevant interests and that mainstream social science, like mainstream knowledge more generally, tends to assume the position of privileged groups, helping to naturalize and sustain their privilege in the process.
Thus, feminist researchers recognise the position of privileged groups and of patriarchy within their research and reject the notion that research should be approached in an objective manner, as doing so only serves to further entrench the position of these powerful groups.

Feminist researchers acknowledge that they have their own values and perspectives that relate to their research and that the goal of research is to contribute to social change and social justice. Mason and Stubbs (2011) argue that feminist methodologies emphasise the experience of women in society as a source of knowledge about unequal power structures within our social world. Feminist methodologies have also been associated with democratising criminological research, giving agency to women’s experiences with crime not only as victims and perpetrators but also as activists, campaigners and professionals, in a field which has previously been dominated by positivist theories about women (Mason and Stubbs, 2011). Feminist methodologies also place an emphasis on intersectionality, highlighting that the experiences of women can differ depending on race, class and location and that it is important to acknowledge these differences when conducting research (Burgess-Proctor 2006).

Burgess-Proctor (2006) argues that feminist researchers should be aware of how systems intersect to produce inequalities when researching power structures that disadvantage women. This approach emphasises that intersecting systems of gender, race and class act as structuring forces that affect the opportunities offered to women within society. An intersectional approach has evolved from the standpoint epistemological position within feminist methodology. Standpoint epistemology views knowledge and reality as stemming from one’s social position and that women’s position within society gives them a unique perspective on our social world (Mchugh, 2014). Brooks (2007) describes feminist standpoint epistemology as a philosophy of knowledge building that challenges researchers to understand the world through the experiences of women and to understand that women have a particular viewpoint and knowledge that has been cultivated through their experiences in a patriarchal society. Feminist standpoint theory asks researchers to critically examine society through women’s experiences and promotes the idea that these experiences provide the starting point from which to build knowledge (Brooks, 2007). However, some scholars have criticised this position as it views women as a single group that share the same experiences regardless of their ‘race’, class or location (Mchugh, 2014). Therefore taking an
interchangeable approach to feminist standpoint theory that considers these aspects is appropriate for this research.

Burgess-Proctor (2006) has identified an intersectional approach as useful when researching violence against women as it goes beyond looking at the power dynamic between men and women and encourages the researcher to explore the underlying structural forces that can create environments in which violence towards women can occur. This methodological approach is therefore appropriate when viewing family violence through a social harm perspective as it allows for the data to be interpreted and analysed with an emphasis on how social harms within neo-liberal economies can have a disproportionate effect on women. This approach allows for a critical examination of how harms such as financial hardship, housing insecurity and unemployment can act as stressors that can influence violent behaviour in relationships.

This research takes the standpoint of key informers who work with women that have been affected by family violence. Key informers were considered essential workers during the Level 4 lockdown and have a depth of knowledge and understanding about family violence in New Zealand that is useful in understanding how the Covid-19 restrictions impacted victims/survivors of family violence. Key informers within the family violence support sector work with women from different backgrounds, which is useful in determining if aspects of the pandemic restrictions and government response impacted victims/survivors of family violence differently. Key informers’ understanding of the stressors and environments that contribute to family violence is important in framing this research within the social harm perspective as their experiences with government funding and their relationships with other organisations that help to support victims/survivors financially can help to build knowledge about social harms in New Zealand.

At the core of feminist methodologies in general is a belief that women’s experiences regardless of race, class and location should be given greater emphasis in fields that have traditionally failed to consider their perspectives. A feminist methodological approach acknowledges that reality defined by men has little significance for women. As a young, white, cisgender male doing research about women’s experiences of violence, this is something that I have had to be aware of throughout this research. I think it is important to acknowledge that while I consider myself to be a feminist and have approached this research with the
understanding that we live in a patriarchal society that disadvantages women, I myself have not experienced these disadvantages and therefore my lived experiences and my day-to-day reality is different to that of the participants.

Research design

From the beginning of my research journey I believed that it was important to not only document a rise in family violence during the pandemic but also to explore the wider social structures that may have an impact on violence and to record some of the realities faced by victims/survivors during the uncertainty and instability that the global pandemic has caused. Therefore, I decided to use a qualitative research design using semi-structured interviews with participants from the family violence support sector who are uniquely placed to reflect on victims/survivors experiences. In this section I discuss the development of this research design including the ethics application process, the recruitment of participants and the collection and analysis of data.

Semi-structured interviews

Wincup (2017) states that semi-structured interviews offer an opportunity for dialogue and exchange between the interviewer and interviewee. I believed that this approach would be useful as an open dialogue between myself and the participant. It would provide an opportunity for the participants to discuss their own views and opinions on family violence in New Zealand and allow me as a researcher to ask follow-up questions on any points that I thought would be important to the research. Semi-structured interviews also allow for a flexibility in the way questions are asked which allowed me to deviate from the initial structure of the interview guide while still maintaining an organic conversation with the participant. Semi-structured interviews also helped me to build a rapport with my participants as it allowed them to discuss issues that they personally felt were important in understanding how victims/survivors of family violence have been affected by the pandemic.

The interview guide (see Appendix A) was organised into four sections. The first section consisted of introductory questions, which asked the participant about their role within the organisation, and how they viewed the state of family violence in New Zealand. The second section was focused on the first Level Four lockdown (25 March 2020 – 27 April 2020) and consisted of questions about the experiences of victims/survivors during this time, including
the types of harm that they reported and the challenges that they faced in seeking help. The third section focused on the months following the lowering of alert levels and the movement between levels after community transmission was rediscovered. The final section focused on the political and socio-economic settings that may have an impact on family violence. This section consisted of questions that asked about government policies that may reduce protection for women who endure family violence and on some of the structural inequalities that may have an impact on violence. This section also asked if the pandemic has had an impact on these policies or structural inequalities and how these issues might be addressed to try and prevent violence against women and children.

The interview guide was a constantly evolving document that was reviewed and adapted after I reflected on each interview. The semi-structured style of the interview guide meant that I was able to change questions that participants may have found unclear or difficult to answer and include questions that related to an issue or topic that a previous participant raised during our conversation that I had not previously considered.

**Ethics**

As I was interviewing human participants for this research it was important to get approval from the Victoria University of Wellington Human Ethics Committee (HEC). After receiving feedback on my application from my supervisors, I submitted my application for ethical approval on July 2\textsuperscript{nd} 2020, with approval granted on July 5\textsuperscript{th} 2020 after some minor revisions. Included in my application was a commitment to ensure the confidentiality of my participants. I decided to keep participation confidential as this would allow my participants to have an open and frank discussion with me about their views on family violence without having to be concerned about being identified. Prior to each interview, participants were given an information sheet and consent form which outlined the purpose of the research and their rights as participants (see Appendix B). As I was conducting some interviews virtually over Zoom, I referred to the HEC’s guidelines on receiving informed consent from participants when it is not possible in a face-to-face environment. Participants that were interviewed over Zoom were emailed a copy of the information sheet and consent form to read through. Informed consent was given by the participant through a confirmation email or through the participant emailing a signed copy of the consent form to me. Before each interview I asked the participant if they had read through the information sheet and consent form and
confirmed that they were aware of their rights as participants. I also reiterated that their responses were confidential and that they would not be named in the final thesis. To further protect the identities of participants I also decided not to name the organisation that they worked for. As I was interviewing key informants who worked in the family violence support sector, I did not anticipate any distress or harm to participants during the interview, as they have experience and knowledge in this area. However, participants were given the option to withdraw from the interview at any stage or refuse to answer any question.

Participants

The participants that took part in this research were key informants that worked with NGOs to assist victims/survivors of family violence in New Zealand. I decided to interview key informants within this space as I believed that they would have the knowledge and expertise related to family violence that would assist me in answering my research questions. Parsons (2008) states that key informants are beneficial when researching community issues as they can provide a depth of understanding about a topic that regular surveys and quantitative data cannot provide. I believed that key informants with a knowledge of family violence would have a greater understanding about the issues that victims/survivors have faced during the pandemic as they were classed as essential workers during this time. As well as this, I believed that key informants would be able to highlight the structural issues and difficulties that victims/survivors face on a daily basis when seeking support, as these issues cannot be seen in official statistics related to family violence cases. Six participants were interviewed for this research. All of the participants were women, and whilst not asked about ethnicity, one participant identified as Māori and one identified as Pasifika. The ethnic status of the other four participants was not recorded. Each participant was given a pseudonym, they are: Caroline who was from the Wellington region, Atamai, Emma and Katrina who were all from the Christchurch region and Charlotte who was from the Auckland region.

Recruitment
Participants were recruited using a mixture of purposive sampling and snowball sampling. After consultation with my supervisors I compiled a list of organisations that work with victim/survivors of family violence from the Auckland, Wellington and Christchurch regions. These regions were chosen as they have a mixture of urban and rural areas and they contain the three largest cities in New Zealand. I believed that by choosing to recruit participants from these regions I would be able to get a clear picture of how Covid-19 has affected family violence across the country. When I began this research Auckland had experienced a second period of being in alert Level Three (August 12 2020 – August 30 2020), which also prompted me to include the region in the recruitment sample to explore the effect of the movement between levels. Participants were recruited via email and email addresses were found on organisations websites. To avoid using an email address that was reserved for victims/survivors seeking support, I made sure to find email addresses that were reserved for media enquiries or the manager of the organisation. The recruitment email introduced myself and the research and invited workers of the organisation to take part. In the initial email, I attached an information sheet and consent form for participants to consider. Four of my participants were recruited using this method. The other three participants were recruited on the advice of the previous participants who gave me their contact information and in some cases offered to get in contact with them on my behalf.

The recruitment of participants was a challenging part of this research due to the nature of the work that the participants do. Working with victims/survivors of family violence means that many staff need to be on call 24 hours a day and schedules often change to address emergencies related to clients. While participants were happy to be involved, their work pressures throughout the pandemic meant regular postponements and rescheduling of interviews. Furthermore, during the data collection period New Zealand was plunged into a Level Four lockdown, which exacerbated the issues with recruitment as organisations understandably had to focus their resources in adapting to the new lockdown conditions and on assisting their clients through alert Level Four. This meant I was unable to reach my goal of recruiting 8-10 participants for this research, however despite the small number of participants the data that was collected was rich and nuanced. However, the return to Level Four during this time also provided a new avenue for questions as some participants were keen to talk about the current lockdown and how it would impact on families.
Data collection and analysis

Interviews took place between August and September 2021. My first interview was conducted face-to-face with a participant in the Wellington region. Subsequent interviews were all conducted over Zoom due to being unable to travel to Auckland and Christchurch to meet with participants and a change in Covid-19 Alert levels. I was constantly aware of the busy and sometimes unpredictable schedules that participants face when working within the family violence support sector which is why interviews were scheduled for a time that was suitable for them. Interviews were recorded with permission from the participant. During interviews on Zoom, I used the record function to capture our conversation. However, in the interests of privacy and confidentiality for my participants, only the audio file was kept while the screen recording was deleted. Recording each interview was useful as it helped me to be an active listener during my conversations with the participants, however I also took notes during the interview. This was to remind me to ask follow up questions about a specific issue that the participant raised without having to interrupt them. Each interview was transcribed verbatim, while this did take some time it was a useful exercise that helped me to reflect on each interview and identify some of the emerging themes which I could explore in more depth during the analysis stage.

Data was analysed and coded by hand, using thematic analysis techniques as proposed by Terry, Hayfield, Clark and Braun (2017). I started by familiarising myself with the data which involved reading through each transcript while highlighting certain quotes by hand that I could relate to the social harm perspective and to patriarchal power structures. After developing a sense of the overall data from the familiarisation process I began a more thorough analysis of the data, generating codes that related to specific harms and structural processes that had an impact on family violence and how they were exacerbated during the pandemic. Terry, Hayfield, Clark and Braun (2017) describe the generation of codes as the systematic and thorough creation of meaningful labels that can be attached to the data set. In generating my codes I had to think about the wider structural context in which the harms identified were taking place, and how these harms could be viewed within the context of patriarchal structures. Finally, with an in-depth understanding of the data following the
coding process, I began constructing themes in which I could group each quote. The themes that emerged were based around the affects of the pandemic on victims/survivors of violence, the impact that the pandemic had on family violence and the wider structural and social harm impacts of the pandemic.

**Personal challenges and reflection**

As someone who has never had a personal experience with family violence I felt nervous conducting interviews with key informants who devote an incredible amount of time and energy in ensuring that victims/survivors of family violence get the help and support that they need. I did not want to be seen as an academic from the ivory tower who thought that they knew everything about family violence and power and control simply because they had read literature relating to the topic. During some of the interviews I found it was useful to explain the social harm approach that I was taking with this research as this gave the participants a clearer picture of both my position and what I was hoping to achieve with this research. Throughout the interview process I heard stories of harm that shocked and saddened me and reminded me of the struggles that victims/survivors face which are not always captured in statistics or literature. There were also times where I felt angry and frustrated at the systems in place within our justice system that disadvantage victims/survivors that have suffered abuse. As difficult as it was to confront these emotions it was also useful to do so as it inspired me to continue with the research process and highlight these issues that victims/survivors still face.

**Conclusion**

This chapter has outlined the methodological approach that underpins this research which is based on feminist standpoint epistemology. This approach informed my decision to conduct semi-structured interviews with key informers from the family violence support sector, the recruitment process for this research was a challenging one due to the disruptions of Covid-19 lockdowns and restrictions, regardless the data collected from the six participants that I
interviewed was rich and nuanced. Participants responses are recording in the following two chapters.
Chapter Five: The Level Four Lockdown and its Aftermath

The first Level Four lockdown in New Zealand commenced on 25th March 2020 and lasted for four and a half weeks, ending on 27th April when the country moved down into Level Three. When announcing this first lockdown, Prime Minister Jacinda Ardern stated that: “these decisions will place the most significant restriction on New Zealanders’ movements in modern history” (Ardern, 2020). The restrictions put in place under Level Four meant that, with the exception of essential workers, people had to stay within their ‘bubbles’, they could not physically interact with other households and could leave the house only for exercise or to collect essential items such as groceries or medicines. Concerns were immediately raised by the family violence support sector about the effect that the lockdown would have on violence in the home, as many people would be locked down in unsafe environments.

Family violence organisations were deemed an essential service and, later, the New Zealand Police released a statement confirming that victims/survivors could leave their bubble if they were experiencing abusive or threatening behaviour from partners or others (Smith, 2020). The Human Rights Commission reported a spike in family violence calls to the police on the first weekend of the Level Four lockdown (Sumeo and McGregor, 2020). The Commission also reported that the usual avenues for victims/survivors to seek help were limited due to lockdown restrictions. Opportunities to call for help or to access support online became harder as an abusive partner or parent was able to control victims/survivors’ access to technology (Sumeo and McGregor, 2020).

While the first Level Four lockdown was able to successfully eliminate community transmission of Covid-19, New Zealand has continually faced new strains of the virus which has plunged certain regions back into lockdown restrictions, most prominently in Auckland which has returned to Level Three restrictions four times since the end of the initial lockdown (History of the Covid-19 Alert Levels, 2021).

This chapter recounts the experience of victims/survivors, from the viewpoint of those that helped them, during lockdown and in the ensuing months. The chapter details the rise of family violence cases during the first Level Four Lockdown and the types of violence that victims/survivors faced with participants recounting how their clients faced both physical and
psychological harm, and how abusers were able to use the lockdown to exert further control. From there participants discuss the obstacles that victims/survivors faced when trying to seek support. Following that, it explores how the Family Court was impacted by the pandemic restrictions, and how this affected family violence cases. The final section focuses on the difficulties in moving between the Alert Levels for those struggling with family violence. The responses from participants reveal how, throughout the pandemic, women subjected to family violence have faced multiple barriers that have reinforced patriarchal power structures and have prevented them from seeking help. These barriers have been exacerbated by the pandemic, with the burden being placed on victims/survivors to protect themselves, and with NGOs being left under resourced to deal with the unique challenges of the Covid-19 pandemic.

**Rising Family Violence Cases Due to Lockdown Restrictions**

Police data from the first Level Four lockdown announcement reflected a sharp rise in reports of family violence. On 23 March 2020, the day that the lockdown was announced, New Zealand Police recorded 571 family violence incidences across the country, an increase of 110 from the previous day. During the first week of lockdown, daily cases remained at over 500, peaking at 650 during the first weekend (Police Data, 2020). This increase was also felt by all support organisations covered in this research, who experienced an increase in calls for assistance during the first Level Four lockdown across Auckland, Wellington and Christchurch.

In Christchurch, participants identified a rise in family violence through their daily meetings with the Integrated Safety Response (ISR) team\(^6\). Emma, a family support worker based in Christchurch, stated:

> Yeah, we definitely saw it in the first lockdown, I think it’s just evident in that daily list because they went from being maybe 40-50 cases on a weekday, maybe a bit higher on the weekend, but that first week it was like 50, 60, 70 cases every single day.

\(^6\) The ISR is a multi-agency intervention programme, developed in 2016, that involves a daily review of the family violence incidences that occurred on the previous day. Agencies that take part in the daily meetings include the Police, the Ministry of Social Development, Oranga Tamariki and an advocate from a family violence support service (NZ Police, 2021).
Similarly, Atamai, who works for the same organisation and whose responsibilities include working on the support helpline, noted the increase in calls during the evening:

*I think during 9-5 all the family is awake, they’re doing activities together and things like that but then after 5 o’clock I’m finding that Mum and Dad are arguing a lot because bills are not being paid or Dad’s starting to drink or there might be teenagers in the house that are playing up as well.*

Atamai also highlighted that, while she witnessed an increase in calls, the overall reporting of family violence cases to the Police during lockdown did not capture the full extent of violence:

*Pre-Covid reports of family violence were already pretty low but then Covid hit and I think a lot of families just took the stressors on, of having to provide for their families financially and then emotionally as well. So I think, for parents, family violence increased without them even knowing it, so they weren’t able to respond to it because they just didn’t know how to and then that just led to family harm incidents.*

Participants based in Auckland also reported an increase in calls for support from victims/survivors of family violence. Charlotte, whose role is a policy advisor for an Auckland NGO, stated:

*In the first Level Four lockdown there was an immediate increase in reporting to the police and an immediate increase in women seeking help...we saw an increase in request for help and that started from March and then April right through. That stayed so it didn’t suddenly taper off when the alert levels went down.*

When discussing the movement between levels she stated that her organisation had seen an increase in women seeking help at the beginning of each level, even when the levels were dropping, with family violence incidences remaining high at 20% more reporting since the first Level Four lockdown.

These responses and the data from police show that family violence incidences, and calls for services, increased during the first Level Four lockdown. With New Zealand’s high rates of family violence prior to the pandemic, the rise in cases was a foreseeable harm. However, it was unable to be prevented. As shown throughout the findings of this thesis, the chronic
underfunding of the family violence support sector meant that despite their efforts, organisations were often unable to deal with rising cases.

**Types of Harm Faced by Victims/Survivors**

Participants reported that, during the pandemic, severe physical violence such as strangulation and beatings were increasingly reported and there was also a rise in psychological and emotional abuse, as abusers exploited the situation to exert more control. Participants noted how abusers used Covid-19 as a scare tactic to prevent victims/survivors from seeking help or leaving the house, saying that they would catch the virus if they tried to escape. Similarly, abusers who had a custody arrangement with their ex-partner were able to use the pandemic restrictions to get more access to their child than their parenting order would allow (discussed further below).

Atamai gave an example of a case, during the first lockdown, where a woman was psychologically abused by her husband because of her financial situation:

> She was a full time worker, but because of lockdown she couldn’t work and her work wasn’t able to pay her full salary so she was getting like 60% or something, and he was putting a lot of pressure on her to go and get money which she couldn’t do. So she was ringing up worried because he was threatening to kick her out of the house if she wouldn’t go and get money. He was even threatening her to go and sell her body down Manchester Street to try and get some money...she was really frightened for her safety and that prompted me to put her into a safe house.

She said that this abuser was unable to recognise that he was being abusive towards his wife and he continued to blame his wife for his behaviour. Atamai used this case as an example to explain how psychological and emotional violence is often not viewed as abuse by the families that she works with, so there is a need for increased education about the damaging nature of psychological, emotional and financial violence. Emotional and psychological abuse was also documented by Julie who discussed how abusers became more obsessive and demanding during the lockdown and how they were able to use the virus to further intimidate their ex-partner. When asked about if the pandemic had an impact on violent behaviour, she said:
...it did seem to intensify the abuse, the Covid situation, that he was not complying with any of the health or contact guidelines, refusing to talk about his contacts but also some cases where he got a test but refused to tell the mum what the result was so she didn’t know whether he was a Covid-risk to the child or not. Seeing that in the context of violence and abusive control, having that information and not sharing it is about controlling what you know and what you can do in response to it.

Julie also highlighted how fear over the virus was used as another form of control, as abusers deliberately broke restrictions with their children to intimidate and harass the mother. One example she gave was around Covid tests:

I heard of abusers who forced the children to get tests even though they were not exposed to Covid or had been in contact with anyone who had, that was forcing a medically invasive procedure on children that didn’t need to do it. Abusers also deliberately placed their children in situations where they could potentially contract the virus by mixing with other bubbles and then refused to give the contact information of who they had been with to the mother.

These tactics were especially damaging when the children or mum had underlying health conditions that increased risks. Julie highlighted how these could be dovetailed with abusers denying children access to medical attention:

These mothers talked about their children being verbally abused while in his care. They [the children] were prevented from making contact with the mum while they were with him. Being psychologically abused by him by being told frightening things about Covid or told that they would never see their mum again or that their mum was going to get sick...Some women talked about the child being denied medical attention while they were in his care. A lot of women talked about children being neglected, being denied food, comfort activities and attention while they were in these lockdown situations with him.

Physical, emotional, and psychological abuse all occurred during lockdown restrictions. Concerns over household finances and loss of income coupled with the friction caused by being in lockdown led to arguments and violent confrontations within relationships that may not have been violent. Alongside this, abusers were able to exploit fears over Covid-19 to further intimidate and control victim/survivors by not revealing their health status. All of
these situations led women to seek supports from community and legal organisations, however, many women faced difficulties when seeking assistance.

**Obstacles to Seeking Help During the Lockdown**

The limitations on people’s movements to their household (unless they needed to access an essential service) were necessary to mitigate the virus, yet this made it difficult for victims/survivors to seek support. Some of the reasons for this are outlined above. However, it became clear that several obstacles – proximity to abusive partners who further restricted connections, the reliance on online supports, and government messaging about childcare arrangements – brought further difficulties.

The main obstacle for victims/survivors in seeking help was living in close proximity to their abusive partner. Participants stated that prior to the lockdown it was common for victim/survivors to use errands such as grocery shopping or picking up their children from school as an excuse to leave the house and seek help without the abuser knowing. Additionally, the lockdown provided more opportunities for an abuser to exert control as they might closely monitor their partner’s phone and internet activities throughout the day, making it harder for victims/survivors to contact support services or other family members.

When asked about the barriers that their clients faced in seeking support during the lockdown, Emma said:

*The main obstacle would be if the client was still in the house with the person using violence...because it’s not safe if they were overheard or anything like that. Like their partner may not know that they were getting help from us or Women’s Refuge or wherever, so I think that’s the biggest obstacle.*

Caroline, who involved with Women’s Refuge in Wellington, recalled how the normal avenues for victims/survivors to get support were limited and how that impacted on relationships:

*In a normal day-to-day environment you can walk away, you can leave the house, you can get some air, you can go for a run, get a cup of tea with a friend, a neighbour or whoever. In a lockdown that’s not so. So what it did was it caused fragility in*
relationships. What we saw was an increase in relationships that may have been on the brink or on their way out actually break down because they couldn’t get away, so we saw an increase in that.

Similarly, Katrina, who is a team leader for an NGO in Christchurch, recalled how the lockdown acted as a catalyst for relationships to break down and how victims/survivors found it difficult to escape from violent relationships:

It’s just that pressure cooker, when you’re in a situation where you’re not feeling safe and then you’re in a position where you’ve got to be in that place 24/7. People are in a situation where they are unsafe, they are not able to reach out or call our support line or leave their bubble easily...it is difficult for people... to access support at times whether its emergency accommodation or people having those options to go and stay elsewhere with friends or whānau and that those options aren’t available to them during lockdown.

Katrina also noted how the conflicting message of “keep to your bubble” may have prevented some victims/survivors from seeking help. When asked if victims/survivors knew they had the option to leave during the lockdown Katrina said:

It’s hard because there is a lot of information going around, I think by putting up those articles it’s really good because it gives people some knowledge that actually its ok to break their bubble if they are unsafe, but if you watch those 1pm updates every day the message is quite clear to stay in your bubble. So I think it would be difficult for people to feel like they can leave their bubble if they need to.

Relatedly, Charlotte highlighted how abusers attempted to prevent victims/survivors from contacting friends, family or a support service by restricting access to their phone:

Things like phones become so important, they’re so important anyway in our lives but in a Covid context, women will have their phone smashed, they don’t have a phone or it’s their partner’s phone so their ability to seek help in these contexts is very difficult. We see snippets that come through from the police reports and from our helpline, the desperation of people ringing from their cars, or ringing us and then their partner takes the phone and the call finishes.
Another obstacle for participants was being unable to have face-to-face contact with clients which made it difficult to determine if they were safe in their home. Participants stated that they found the transition to online chats and video calls a challenge. For example, Atamai said that she found it difficult to assess a client’s situation during the lockdown:

*I prefer face-to-face with clients...I can still see them on Zoom but I can’t see everybody else and I can’t pick up on the tension, so I like to go into the family’s home and talk to everybody. I think that’s the only way that we as family violence workers can get a sense of how is this family actually doing and I’m pretty good at picking up on things when I go into the family homes...it’s easy for participants on Zoom to say that everything’s fine but I don’t actually know what’s going on behind that.*

Similarly, Emma stated that the move to online chats and video calls made it harder for women to get support from her organisation, especially for clients who were still living with an abusive partner before lockdown. When referring to using video chat, she said:

*...we had to consider what is going to be an unsafe situation. If that woman is still at home with the person using violence, then how safe is it to have those conversations?*

Another obstacle that was raised was confusion around government messaging at the beginning of the lockdown, particularly regarding split parenting arrangements under Level Four conditions. Government advice during this time stated that children under a shared care arrangement could still move between their parent’s homes provided that the households were in the same or adjacent district (Ministry of Justice, 2021). However, government advice was unclear on how parenting orders should be enforced. This was highlighted by Julie whose organisation supports victims/survivors that have gone through the Family Court system. Julie relayed the views of women who were confused about shared contact with an abusive ex-partner:

*The government messaging around family violence and shared contact was really messy and inconsistent and it didn’t give a clear message to victims/survivors at all. They talked about not knowing what legislation was paramount. They didn’t know whether their Family Court order, and what the Principal Family Court judge was saying, took precedence over the health orders that were saying everybody had to be in lockdown.*
Julie explained that the lack of information around parenting orders caused anxiety for the women that she worked with as they did not want to be forced into having contact with their abusive ex-partner during lockdown, nor did they want their child to be in a lockdown with an abusive parent. She stated that, prior to the lockdown, people started to predict that more restrictions may be imposed, and women were unaware of what their options would be to protect themselves and their children if a lockdown was to be imposed:

Women were starting to ask questions about what was going to happen to their children if we went into lockdown and there didn’t seem to be any messaging coming through from government, or the family courts, about how this would be managed. These women were really worried about their children’s safety, because it’s bad enough that these children are forced into unsafe unsupervised contact with the abusive father at any time but particularly in a lockdown situation where the children aren’t going to school and they’re not interacting with friends or neighbours. So mums were rightly so raising concerns about the safety of their children.

When discussing the second Level Four lockdown (17 August 2021 – September 2021 in Auckland), Julie stated that the messaging during this time had not improved. However, she suggested this could be deliberate to prevent abusers from exploiting custody agreements by demanding access to their child:

Whether they [the government] have made a decision...maybe they listened to the feedback about how abusers were using the lockdown against separated mothers and children, so they’ve chosen not to say anything about enforcing care arrangements and stuff as a deliberate thing to prevent this kind of thing from happening, or whether it’s just not on anyone’s radar, I don’t know.

Living in close proximity to an abuser with limited opportunities available to seek help made it difficult for victims/survivors to report abuse. Similarly, without being able to personally check on their clients, participants were unable to see the abuse that was happening inside their clients’ homes and were unable to offer support safely while on Zoom. Despite assurances from government and the police that breaking bubbles to escape family violence was acceptable, the reality of lockdown made escapes from abusers difficult and many victims/survivors were unsure if they were able to leave their bubble and seek help. Women
who had shared custody arrangements with their ex-partners were also confused about how their custody arrangements would work during lockdown and how they could best protect their child from being harmed by their abusive father. Confusion over custody arrangements and family court orders was identified as a significant issue during the lockdown and is detailed below.

**Working with the Family Court During the Lockdown**

The Family Court was identified by participants as an institution that consistently re-victimises those that have suffered from abuse. Participants highlighted these problems as systemic, with the court often failing to protect women and children. In 2019, the Ministry of Justice found that the court had little understanding about the impact that violence has on women and children within the court. It highlighted that women often feel disrespected by lawyers and judges who fail to recognise the trauma that they have been through, which can result in victims/survivors going through harmful cross examination and their experiences of abuse not being believed. The report also found that there is limited capacity for children to share their views on decisions that affect them such as their views on parenting arrangements (Ministry of Justice, 2019). These issues are reflected in participants’ detail of the experiences of women navigating through the family court system during lockdown.

During the first Level Four lockdown, Julie’s organisation worked on behalf of women who had split parenting arrangements with former abusive partners and who advocated to ensure the safety of children during lockdown restrictions. Julie recalled a range of different issues that victims/survivors faced when trying to negotiate with the Family Court on parenting arrangements during this time. She highlighted how abusers were able to use the court to facilitate abuse:

> Women reported really early that abusive men were using the conditions of the lockdown to facilitate more abuse. Sometimes that was them initiating court action just prior to the lockdown to try and get an order and a warrant to try and get the children placed with him before the lockdown. Sometimes it was to enforce new court orders around contact. Sometimes it was using the lockdown to have forced contact when they hadn’t had contact before in the past for many years. So suddenly there was all this initiated contact...
and also abusive men threatening the women that if they didn’t let the children go to him during the lockdown they would start court proceedings.

She described how the court allowed abusers to have more contact with their children than they normally would under their parenting order which made victims/survivors feel unsafe:

Prior to the lockdown children may have been court ordered to see their Dad once a fortnight or have a Skype session three times a week or something. Suddenly the expectation and requirement was that he should have unlimited remote access to that child and so women talked about feeling like the government and the Court had enabled the abuser to have more involvement in their children’s life than he did before lockdown, because now he was virtually in their home, everyday maybe, having Skype sessions or Zoom sessions, and knowing more about their everyday family life than before the lockdown and he knew where they were all the time because he knew they were at home.

As well as being required to give abusers more remote access to their children, Julie recalled that children were also forced to move between their parent’s households during the lockdown, even when it was unsafe to do so:

Children were forced to travel during that time, in-between homes, around the country as well, using public transport in some situations. And victims/survivors were asking why do other New Zealand children have the right to be physically safe in terms of Covid but children who are born to abusive parents are forced not only to have contact with the abusive parent but also to be exposed to Covid, why is their safety not being prioritised? So these children were forced to move between bubbles...in some instances forced into contact with other people associated with him, multiple bubbles maybe at his house.

Guidance from the Family Court during the first lockdown stated that shared custody arrangements could continue under Level Four provided it was safe to do so. However even when it wasn’t safe, such as when the child was at risk of getting Covid from interacting with multiple bubbles, victims/survivors said that they felt pressured by the court and abusers to continue physical contact. Julie stated that the fear of repercussions from the court was sometimes greater than the fear they felt when having to negotiate with their abusive ex-partner:
Many women talked about the fear of repercussions from the Family Court if they didn’t let contact happen, that they would be seen to be obstructive. So they were really scared for the safety of their children, both physically and mentally, being with an abusive parent and also from being exposed to Covid. But, also, in many cases they were more scared of what the Family Court would do if they didn’t consent to the children going back and forth even though they felt that wasn’t safe.

In relation to this, Julie recalled how victims/survivors were concerned that if they did not allow contact then the abuser would go through the Family Court to try and reclaim the time with their children:

A number of women told me that the abusers were saying that if they didn’t have any contact during the lockdown they were going to claim back their time after lockdown so when there’s very prescriptive court orders in place around how much time the children spend in each household then it becomes really stressful when he’s trying to sort of claw back time with children and how that will impact on the children’s safety and the family plans and how they manage things. So, women talked about being threatened by that and women were being told by lawyers that because we had never had a lockdown before there was no case law available so it was impossible to know how that was going to be responded to by the courts.

Julie stated that victims/survivors felt the court prioritised equal access for parents during the Level Four lockdown over the safety of victims/survivors and their children, and that the Family Court didn’t understand how abusers were using the courts to exert more control. At the beginning of the first lockdown, Julie’s organisation wrote to the Minister of Justice Andrew Little and Principal Family Court Judge Jaquelyn Moran asking for clarification of the rules related to split parenting. Julie referred to the statement from the Principal Family Court Judge which stated “parents must put aside their conflict at this time and make decisions that are in the best interests of the child and their families and the wider community”. This sentiment was reiterated by the Minister of Justice in his reply to the organisation. He stated:

...it is my expectation that parents rise above their personal conflicts at this extraordinary time to do the best. In this respect the judge says where a child is not able to share time with the other parent in accordance with the parenting order then the parent in whose
care the child is for the time being should be generous in ensuring indirect contact by phone, Skype or other means with the other parent.

Julie stated that these responses from the Minister and the Principal Family Court Judge dismissed the reality that victims/survivors were facing during the lockdown:

…it was very kind of patronising and condescending statements that completely dismissed the reality for these women, which is that it is impossible to negotiate with abusive men.

Julie recalled how these attitudes expressed by the Family Court meant that victims/survivors felt like their safety, and the safety of their children, was being ignored:

There was a real feeling that the government and the court abandoned these children and that they were made less than anybody else in New Zealand during the Covid lockdown, because of the way the court was upholding this idea about both parents having the right to contact the child even when one of those parents was an abusive person and holding that above all else even safety from Covid.

A large part of the problem, as participants described, is that Family Court lawyers and judges are not educated around family violence and the tactics of power and control. This can lead to exchanges between lawyers and victims/survivors that minimise the harms of violence. For example, Emma gave an example of a client who was pressured into dropping a charge of strangulation in exchange for her abuser pleading guilty to other less serious charges:

Lawyers and judges aren’t educated around power, control and all that stuff. Our family support worker was saying...they had a case where he was up for strangulation but that then the lawyer was like ‘well you just drop that one and he’ll plead guilty to everything else’ and they [women] get bullied into those situations all the time.

Similarly, Katrina saw that lawyers bargaining for lesser charges and pressuring victims/survivors is a common practice within the Family Court. For example, she explained how victims/survivors are often coerced by lawyers and their abusers to drop certain charges in exchange for the abuser to sign an undertaking\(^7\) around parental contact or custody.

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\(^7\) An undertaking in terms of family violence is a promise from one person to another not to act in certain ways (Ministry of Justice, 2021).
Such issues, existing before the pandemic, have been magnified during lockdown. As Julie explained:

*It’s like the pandemic put a magnifying glass on the issues that already existed in the Family Court and it was just shocking really to see it in no uncertain terms. These statements from the Minister of Justice and the Principal Family Court Judge just set it out, with no movement or no acknowledgement that that was the problem, it was just the same old same old “no you’ve just got to learn to get along” totally dismissing the safety aspects for women and children.*

She saw that, during the first lockdown, Family Court orders prevented police from assisting victims/survivors concerned about their children forced into lockdown with an abusive parent:

*Sometimes they [women] would ring police and ask them to do a safety and welfare check on their children and, from what I heard from victim/survivors, the police were really unresponsive. The police said that if a Family Court judge had made the order then they couldn’t intervene unless the child was being beaten in that moment or in critical danger. Police officers were telling women to just get on and work it out with the abuser, that they should just listen to him and his right to see the kid and they should just get on and behave like grown-ups which doesn’t really work when it’s a violent relationship.*

These problems reflect a wider systemic issue within the New Zealand justice system, that women are still not taken seriously when reporting violence and abuse. As Julie stated:

*I mean at the heart of it all is women and children not being believed about their experiences and their need for protection and safety, so that’s happening when they go to police for help...You see it in the OT response, where women are damned if they do and damned if they don’t either way, they’re not supported and then you see it in the Family court response as well where they’re not believed and the children aren’t believed and they’re forced to go into contact with someone who’s not safe.*

However, not all Family Court and justice experiences were negative. Atamai said that her organisation was able to work effectively with lawyers and the courts to get protection orders approved, and that they were able to quickly adapt to the lockdown conditions to do this:
There were a lot of urgent protection orders that needed to be put through, usually you need the signature of the client to be able to process anything but the court realised that us going out to the clients to get signatures wasn’t able to happen so they were able to put through protection orders on behalf of our clients and all they needed to do was give them a call and give consent over the phone. So we worked really flexibly with court system in terms of being able to grant those urgent protection orders and parenting orders.

The issues raised by participants about the Family Court during lockdown highlight the structural inequality between the court and woman who have been abused. As participants noted, the structure of the court enables lawyers and judges to use the same power and control tactics on women that were used by their abusers. In this, the Family Court often fails to protect women from former abusive partners despite evidence of their violent behaviour. As noted by Julie, this reflects the Family Court’s patriarchal attitudes towards women and family violence, with many women not being believed or having their concerns ignored or minimised by the court.

The pandemic exacerbated established problems within the Family Court system, which is highlighted by the statements made by the Minister of Justice at the time and the Principal Family Court Judge who failed to recognise how abusive men could exploit the lockdown to exert more control over their ex-partners and their children. Their responses reflect the patriarchal culture that still exists within the court with an insistence that even through a lockdown the traditional family structure should be protected, despite the evidence of abusive behaviour. As Hunnicutt (2009) argues, patriarchal power structures are masked by other forces within neo-liberal regimes. Thus, they are therefore not recognised as an oppressive force within the social harm perspective. However, participants’ experiences with the Family Court in New Zealand portray a system that works alongside other forces, such as government, to uphold a patriarchal society that disadvantages women.

The Return to Freedoms and the Movements Between Levels

New Zealand gradually moved down alert levels, eventually returning to relative normality under alert level 1 on the 8th June 2020. However, this period of normality was not to last as
New Zealand’s elimination strategy meant a change in levels was required whenever community transmission re-emerged. While the first lockdown was nationwide, subsequent level changes were regionally applied in accordance with the severity of community outbreaks.

Participants were asked how the change in levels throughout 2020 and 2021 had an impact on victims/survivors and how they felt when they were able to return to conditions that allowed them to leave their homes and reconnect with their friends and family. Some noted that while there was relief amongst some families once they were able to experience more freedoms in lowered alert levels, there was also a lot of anxiety about how to re-adjust to normality. Emma stated that emerging from lockdown was stressful for the children that she worked with:

I found with a lot of the kids their anxiety was heightened and the same with the mums too, especially with those who were really quite anxious people. It just got a lot worse, it was like “we’ve been inside for so long and now we have to reconnect with the world again”, it was quite a time for anxiety.

Conversely, Caroline described how the change in levels had a positive effect on the families she worked with, suggesting that “everyone was very happy to be able to leave, to get around, that they were no longer contained, they could get out and socialise...it alleviated some stressors”. Atamai said that things started to calm down in her organisation in the months immediately following the end of the first lockdown as families were able to have space away from each other. However, calls for their services soon started to pick up again:

After the lockdown it was actually pretty quiet. We weren’t getting as many calls coming through, we weren’t getting as many walk-ins coming through and I think that’s just due to families having that breathing space, they were like “okay it’s done, now we’re trying to get back to some normality”. What I found is that it took about two months before we started picking up again. So I think during that two month period families were just trying to get back into some sort of normality, whether it was going back to work or back to school or whatever it was, but then after a couple of months the numbers started coming through again.
Similarly, Emma recalled that there was an increase in demand for their service in the months following the easing of restrictions:

The walk-ins over those next few months was the highest we’ve had, we were just inundated with people just trying to get support and I think it was the same for our support line. I know that we were having our highest amount of face-to-face sessions during those months as well...I think that was a combination of getting a few clients over lockdown because we had a bit more time on our hands but then realising once you’re back face-to-face it actually takes longer, so we have a lot of clients now.

The movement between levels was felt most prominently in the Auckland region with Auckland returning to Level Three restrictions four times throughout 2020 and 2021. Charlotte stated that the constant shift between levels created instability in the lives of victims/survivors. When talking about the effect that the shift in levels had on relationships, she said:

What we saw with the different levels was, as we went down each level, we saw an increase in people trying to get out, seeing that as their opportunity to move. It’s probably terrifying, the longer this goes on and the feeling of “here we go again”, it’s really destabilising.

The feelings of instability were also highlighted by other participants. Katrina discussed how each level posed a new challenge for the clients that her organisation worked with, raising the issue of childcare as an example:

Childcare is a big one, Level Three in particular, that is a really hard level because some people are meant to go back to work. If you have a partner that works but you’re still expected to work from home as you have kids at home it is a really tricky one for people. I think that would be a time where it becomes even more stressful in a way and probably puts further strain on people’s relationships as well. It’s all those things like trying to manage children, making sure schoolwork is being done while working from home. So I think there’s a lot of layers and those different level changes can impact on that.

On 17 August 2021, the whole of New Zealand moved back to Level Four restrictions as the highly contagious Delta strain of the virus was discovered in the community. Emma, Atamai
and Katrina were all interviewed during the first week of the return to Level Four and they discussed the impact that this had on the wellbeing of their clients and on their organisation.

Katrina said:

Because our clients have that post-traumatic stress response, they’re often quite anxious and heightened anyway... when we’re being told we’ll get three days of lockdown and then we’ll get an update, that is a very anxious time for people. We receive calls where there is a geographical distance between them and the previous abuser but they’re still really anxious that he’s going to come because I think it’s all that anxiety bringing that up again.

Atamai also stressed how heightened anxieties during this time could have an effect on family violence:

People are waiting for that one o’clock briefing from Jacinda, already the anxiety within people, they’re like “oh my gosh, what are we going to do, are we going to be working next week are we not?” So that anxiety in itself creates tension within families which will often lead into arguments and things like that so the shift between levels is definitely a contributing factor to anxiety and family violence.

Emma highlighted how some of her clients would have to face the August lockdown alone after having left a violent relationship after the first period in Level Four:

I know some of the women from our group at the moment they’re by themselves which isn’t that great. If they’ve left their relationship after a crisis, they might not have their kids at home because of what’s been happening and now they’re by themselves and it’s all that mental health stuff that comes up.

Emma also noted how the move back to Level Four had affected how her organisation operates:

When we’re working from home that affects us a lot because all our work is client-based face to face contact since we’ve come out and gone to level two. Level one life has just been the exact same work wise and now it’s just a bit of a shock again, being back at home and having to get back into that space. So, yeah, it takes a lot of adjusting ...surprisingly it’s a lot more draining doing it from home and talking on the phone to
people just ‘cause it feels a lot more constant rather than when you have three appointments a day.

The end of the first Level Four Lockdown was a relief for some victims/survivors who were able to reconnect with family and friends and get some space away from their abuser, while others used the opportunity of less restrictions to get support from family violence organisations that they were scared to access while being in lockdown with their partner. However, as Katrina noted, the movement between levels posed other challenges for women such as childcare. With the majority of schools and early learning centres closed under Alert Level Three many parents had to decide who would return to work and who would stay home to care for their children. The impacts of the pandemic have meant that many women have had to return to their stereotypically “traditional” roles, such as being the primary caregiver for their children. The return of lockdown restrictions further highlights a lack of preparedness from the government with regards to family violence, as participants reported that victims/survivors were facing the same challenges and anxieties that they experienced during the first lockdown, while organisations were faced with the pressures of working at a reduced capacity despite evidence that family violence increased under lockdown restrictions.

Conclusion

Participants’ responses showed that the Covid-19 pandemic has had a significant impact on the scale and nature of family violence in New Zealand. Police data recorded during the first Level Four Lockdown showed that family violence increased significantly and remained at high levels during the first weekend of Level Four restrictions. In line with police data, participants all recorded a rise in calls for their services, with some stating that this demand has continued throughout the movement between levels and the return to Level Four. While the restrictions put in place were necessary to prevent the virus from spreading, participants knew that the likelihood of family violence increasing during this time was certain. Lockdown restrictions forced victims/survivors to be trapped with their abusers creating more situations for violence to occur. Similarly, relationships that may not have been violent prior to the lockdown would come under strain as the uncertainty created by the pandemic caused stress and anxiety amongst families.
The Level Four lockdown created an environment in which abusers could exert more control over their partners or their children. Abusers were able to monitor their partner’s every move and limit access to their phone or computer to prevent them from contacting anyone. While government messaging stated that those experiencing abuse were able to leave their home and seek assistance, this conflicted with the daily message of “keep to your bubble” which made some victims/survivors question if they were allowed to leave. Victims/survivors faced not only physical abuse but also emotional abuse during the lockdown. Abusers exploited victims/survivors’ fears of the virus and deliberately broke the rules to intimidate and harass their partner. Children from split parents were forced to stay with their abusive parent during lockdown despite previous court orders limiting contact. In turn, this provided more opportunities for abusers to exert control by exploiting the courts to threaten their ex-partner. The return of more freedoms under levels three and two alleviated some of the stressors that were faced during the initial lockdown, however the fluctuation between the levels created anxiety and uncertainty amongst families and increased tensions highlighting that the effects of the pandemic on family violence are ongoing. In the following chapter participants discuss the wider social implications of the lockdowns and how these impacted on family violence.
Chapter Six: The Social Harm Impact of the Pandemic

The effects of the Covid-19 pandemic have impacted on all sectors of New Zealand society, with each new outbreak of community transmission being followed by a swift response from government. As new Level Three and Level Four lockdowns were announced throughout 2020 and 2021, so too were government packages that aimed to keep businesses afloat and stem the economic impacts of the restrictions such as the renewal of the wage subsidy scheme. However, the effects of the pandemic have intersected with the existing crises in New Zealand such as housing and social inequality. This chapter builds on the previous findings, focused on the engagements between victim/survivors and family violence support organisations or justice agencies, to reflect on wider experiences and considerations. In particular, it highlights how broader structural crises have directly impacted on victim/survivors of family violence. This is important in relation to the social harm perspective as it helps to frame family violence as a gendered harm that can result from other social harms.

This chapter begins with participants explaining how the financial impact of the pandemic created tensions within families that led to violence during the lockdowns, and how support from agencies such as Work and Income® (also known as WINZ) was difficult to claim. Following this, participants discuss the difficulties they faced trying to house victims/survivors who had escaped from a family violence incident and how the lack of suitable housing led to victims/survivors being placed in unsafe environments such as hostels and hotels. The final sections of this chapter explain participants’ views on some of the structural barriers that need to change in order to lower rates of family violence in New Zealand. The aim of this chapter is to highlight how social harms such as financial uncertainty, and underfunding of health services, are also gendered harms as they have an adverse effect on women seeking help from family violence, while showing how these harms can be exacerbated during a pandemic.

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® Work and Income is a service of the Ministry of Social Development that is responsible for the benefits system in New Zealand.
Financial Impacts of the Pandemic

As documented in Chapter Two, financial hardship is identified as a stressor that can have an impact on violence in the home. New Zealand’s economic recovery since the first lockdown has been described by some economist as ‘k’-shaped, as rich households have been able to increase their wealth due to economic policies that have benefitted businesses at the expense of beneficiaries, low wage workers and renters who experienced falling wages and rising rents (Hickey, 2020). With this in mind, I asked participants how the pandemic had affected the financial situations of the families that they work with. They recalled how their clients struggled financially during the first lockdown, and the months following, even with extra financial government support such as the wage subsidy and the Covid-19 income relief payment. Katrina noted how her organisation witnessed a rise in clients who have been financially impacted by the pandemic during the first lockdown and the months following:

Financially we were seeing a lot of impacts on people either because their income was reduced, or they lost jobs, that sort of thing. I know initially during lockdown it was harder for people especially if they were only paid 80% of their wage … if you’re living week to week that has a significant impact on your finances. So, I think in terms of that it would have worsened and that was not just during lockdown. There were still people that were on 80% of their pay or on reduced hours even after the lockdown and things got back to normal so it definitely worsened some people’s financial situations.

Charlotte explained how many of the families that her organisation works with were struggling before the pandemic and how the economic impacts of Covid-19 intensified the financial hardship that these families face: “what’s happened is that people already on the margins of society have been pushed, and that level of precarity puts them at risk with so many other issues as well”. She described how her clients were unable to pay for basic necessities during the first lockdown, such as power and food:

We were able to buy Prezzie cards, so people could pay their power bill, people were having their power cut off and so it meant they could pay their power bills immediately that day…Food is another thing that we are struggling with at the moment, just not enough kai. Everything’s increased, the cost of living has increased, and the benefit is not keeping up with that.
Atamai explained how the financial difficulties faced by some families prevented them from getting further support, such as benefits, as they were unable to have access to a phone and mobile internet data: “A lot of the struggles were around benefits, so our families just weren’t able to apply for anything online whether it be subsidies or anything like that”. This was echoed by Charlotte who highlighted how crucial it was for victims/survivors to have access to a phone:

*If you don’t have a smart phone you can’t register your MyMSD account and all those sorts of things. So it’s an essential need, and often we get calls saying “Well, we’ve already paid for two phones” and we say “Yeah, their partner smashes them”, and if you can’t get another phone then you can’t get another grant.*

As noted in the last chapter, the impact of Covid-19 on household finances could act as an added stressor and create tension that could lead to violence in the home. Emma explained how financial hardship is a factor that can influence violent behaviour, especially within families that are already experiencing conflict. This point was also discussed by Atamai who highlighted how the clients that she worked with would often turn to alcohol to cope with the stress of lockdown and its impact:

*Money’s huge when it comes to family violence...that’s not to say that family violence doesn’t happen with families with money but I think the socio-economic factor plays a huge part in it. A lot of people were let go from their jobs after the first lockdown and they’re still trying to get back on their feet, so financial abuse is huge and when families don’t have that money to make ends meet it is going to impact significantly on them and their children. Also, what I’m finding is a lot of families are turning to alcohol and drugs to help cope, so they’ll get paid from wherever it is and they’ll go straight away and buy drinks and then the kids miss out on the basics. I know alcohol sales went up significantly in the last lockdown and even when we went into lockdown a couple of days ago the lines outside the liquor store just baffled me.*

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9 MyMSD is an online service run by the Ministry of Social development that allows users to apply for or renew benefits and income support without having to go into a Work and Income Office (Work and Income, 2021).

10 Alcohol sales increased nationwide with Eftpos data showing a 475% increase in liquor sales on the eve of the move to Alert Level Four in August. The rise in alcohol sales was seen across all socio-economic groups in New Zealand and can be seen as a substance that people used to stem anxieties about the lockdown (Anthony, 2021).
Caroline described how the economic impact can be another layer of harm that victims/survivors of family violence have to endure. She highlighted how financial uncertainty impacts on the mental well-being of the women that she works with, especially those that have escaped a violent relationship and are living in temporary accommodation with their children:

One of our women she had 8 children, we’ve had up to 12. There’s no freedom in those spaces for women to even look at resilience to self-actualisation it’s like a long dream down the road. Most of our women right now are struggling everyday just to put food on the table, long gone is three meals a day. School fees, transport, trying to get children to school. If you live in a safe house or a hotel how do you transport your children to school let alone give them lunches or dinner, give them shoes or a warm jacket? Those are not everyday commodities anymore, those are luxuries.

Relationally, Charlotte also described how the financial impacts of the pandemic have had a disproportionate effect on women and minority groups in New Zealand. She explained how the impacts of the pandemic have made structural inequalities worse and that these inequalities need to be considered when addressing family violence:

Covid has definitely made things harder, if you look at what jobs disappeared, they’re often jobs held by women or discriminated groups in society like Pasifika and Māori. We know that there is an equity lens with family violence, so people that have had multiple experiences with structural violence...it’s just compounded that and made it worse. If you look at what beneficiaries have to survive on, it’s that sense of value. It’s like Covid deaths, family violence deaths, they’re both bad but surely we should have an equitable response to these, not what we currently have.

Participants also recalled the difficulty that their clients faced when applying for financial assistance from Work and Income, with participants stating that the process is complicated and confusing for their clients which can act as a barrier for victims/survivors to seek support. Katrina described how her organisation often has to support their clients in navigating through the application process to get them the benefits that they are entitled to:

Going off feedback from clients they often say that it is quite difficult at times, whether it’s because they’re directed online or they have to do it all through the phone rather than
talking directly to a person face to face. So I know that sometimes causes stress to people. I don’t always think it’s an easy system to navigate. And I know sometimes, [from] having supported clients at WINZ appointments, having an advocate there - at times you’ll get a completely different response than if a client had just gone in there themselves...so I think at times it is fairly difficult for our clients to navigate.

Atamai stated that she found working with WINZ to be a frustrating process especially when advocating for her clients. She highlighted how the process could be more user friendly and informative for those who need financial support:

WINZ don’t give the full information out in terms of what each family or individual are eligible for ...they won’t tell you “Hey, you’re eligible for this benefit I’ll help you to apply for this”. If you don’t know what you’re applying for when you go into WINZ they won’t tell you. So you’ll go in and apply for what you think you’re eligible for, go through all the process, all the forms, for them to turn around and tell you you’re not actually eligible for this benefit. That’s a big thing for me, that lack of communication or whether it’s just them not telling the clients what they’re eligible for, that’s a big frustrating part for me.

Caroline also noted that women who have escaped a violent relationship and have to provide for their children face further barriers even when they are on the benefit. She referred to the sole parent payment as an example: “Every woman on a benefit has to go back to work when their child reaches the age of 14 which causes a bigger barrier for women when they’ve still got a two and a three-year-old as well”. Eligibility criteria for the sole parent payment states that a parent on the payment who has a child over the age of three and under the age of 14 must take reasonable steps to get a suitable part-time job and must take any part-time work that is offered to them. When their child turns 14 they are automatically moved to the Jobseeker Support benefit which requires the person receiving the benefit to be available and looking for full-time employment for at least 30 hours a week (Work and Income, 2021). Caroline stated that the policies around social welfare for those who are struggling financially fail to recognise the trauma that victims/survivors have endured and do not meet the needs of victims/survivors. She said:

Policy is written by...normally they’re quite young some of them haven’t even had children yet or are from backgrounds that are quite privileged in terms of social inequities, so
they’re writing policies for others based on academic research rather than experiences. So they’re out of touch and out of reach.

Overall, the pandemic worsened the financial situations of many families who were already struggling before the economic effects of the lockdown were felt. Many families lost their household income due to job losses or had reduced incomes after receiving 80% of their pay through the wage subsidy scheme. As participants noted, this made it difficult for families to buy necessities such as food and power. Families requiring additional financial support from the government faced technological barriers when applying for this support, as well as difficulties navigating the application process. The financial strain caused by the pandemic heightened tensions within families which led to conflict and violence. When viewed through the lens of social harm, participants’ responses highlight how the pandemic has exacerbated existing financial inequalities within New Zealand, with many families struggling to provide for their families during the lockdown period. Rather than receiving adequate support from the government, these families had to rely on family violence services to provide them with basic necessities which highlights how New Zealand’s social safety net has failed to protect marginalised communities.

The responses from participants shows how gendered harm such as family violence should be seen in relation to other social harms such as relative poverty. As Pemberton (2016) notes, financial hardship or poverty should be considered harmful as it enforces exclusion from mainstream society and impacts on an individual’s ability to achieve self-actualisation. This can be seen in Caroline’s response who recalled how her clients struggled to put food on the table for their families and the effect that this has on their mental wellbeing. The erosion of New Zealand’s social safety net has created further barriers for women to seek support as WINZ often fails to provide adequate assistance to victims/survivors who are struggling financially as revealed by Atamai. Such harms have been exacerbated by the impacts of the Covid-19 pandemic, as noted by Charlotte who explained how welfare payments do not match the increases in the cost of living that are a direct result of the economic impacts of Covid-19, further impacting those placed on the margins of society, especially women.

Housing During and Post Lockdown
Participants identified the lack of accessible, safe accommodation for victims/survivors during the lockdown as a major challenge. Due to social distancing requirements, only single families could be placed in some safe houses while others had to be moved to hotels or placed in other temporary accommodation such as Airbnb’s or boarding houses. Following the lockdown, housing was still identified as a major issue with participants highlighting how many of their clients are still in hotels or motels while they wait for more permanent housing. Participants described how these facilities were not suitable for victims/survivors who were escaping from violent relationships as many of them had no cooking facilities and women had to share these facilities with people who used drugs or who were engaged in offending behaviours. Caroline described the difficulty in finding accommodation for victims/survivors during the first Level Four lockdown and how some victims/survivors ended up being placed in unsafe environments due to limited accommodation options. She explained how her organisation tried to move victims/survivors and their children from this unsafe accommodation, which involved moving them out of the Wellington area and into safer temporary accommodation:

*In the pandemic Aotearoa had nowhere to put our most vulnerable, our women and children. That was a huge challenge for us. Due to MSD emergency housing, you could only have one in each unit, motels were all full, so we had to quickly move women into any accommodation. Some were unsuitable due to other characters in the hotel because it was a free for all, it was not appropriate accommodation. So women and children who became victims of violence during that time, we had to try and get them into more private accommodation, so we had to move them quickly, we had to have support drivers and cars on the road. We had to get through traffic we had to try and move them out of the area.*

Caroline explained the challenge of having to create different safety plans for their clients depending on what type of accommodation they were placed in. This included providing food if the accommodation had no cooking facilities and ensuring that the abusive partner would be unable to contact them:

*You had to think ahead of what a facility looked like because sometimes that was our only choice there was no other choices. If that’s your only choice, how do you maintain an area of safety? [We] put a safety plan around that woman and her children for a short amount*
of time until we could move them and, at the same time, take care of their health needs, their social needs and food.

Caroline also highlighted how the social distancing requirements during the first lockdown was an added challenge and limited the options for accommodation for victims/survivors:

One of the hardest things for us is that even in our safe houses we could only have one person in there with their children, we couldn’t put anyone else in there because of contamination. So we had no houses that we could use which meant we had to pre-pay for other accommodation and there wasn’t time to do that. Even when the marae opened, social distancing still applied. In the marae you’re sleeping in one unit, using the same kitchens and we couldn’t do that so the services shut down.

Participants in Christchurch were also challenged in trying to find suitable accommodation for their clients during Level Four lockdown conditions. Atamai recalled how she struggled to find a safe house for a woman and her children which meant that the family had to stay in the home with the abuser:

At one stage I rang 20 different agencies to try and house a mother and her two children I just couldn’t do it. I genuinely believed I could pick up the phone and say “look I’ve got a family, a mother and two children that need to be relocated because of a family harm incident”. I thought that there would just be a couple of questions and then it would be done, but there was lots of criteria that families just didn’t meet and that ended up being quite a big barrier in terms of trying to relocate families. So then what ended up happening was I did a lot of safety planning over the phone with the families which sometimes just didn’t work because sometimes phone support is different than removing them from the person doing harm. So that was a real big struggle from our end.

Atamai also explained how it was difficult to find housing not only for victim/survivors but also for those who were using violence. Speaking during the first week of the second Level Four lockdown, Atamai said that abusers who had been issued with a PSO and who were asked to leave their home for three days had nowhere to go:

Usually with a PSO the man is asked to leave the house and go to a family member or a friend’s house for 3-5 days but what’s happened over the past 48 hours is there is no place
for the people that have been issued with an order so what I had to do was ring around to different agencies to find out if there was actually a place where these men can go to because they don’t have a friend or family that can take them in and there’s actually nowhere for them to go. So I’m not sure in terms of what that’s resulted in if those men have just been left or if they have managed to find somewhere, but I think we need to do better when it comes to housing we should be able to house anybody when it comes to family violence regardless of gender.

However, some participants stated that in most cases where a family violence incident was reported it was women and children who had to leave the family home while the abuser got to stay. Caroline recalled how her organisation had to fight to allow victims/survivors to remain in their homes:

*There was this perception that it is easier to get her out, leave him at home and get her out, get the children out, so he ended up with the home and the women and children were left to find somewhere. We challenged that and said “no, excuse me! Keep the women and children at home and move one person out”, but again it was well where to, who to? And that’s something that’s not changed that’s still a thing.*

In Auckland, Charlotte noted similar attitudes and used housing as an example to explain how the Covid situation has placed the onus on victims/survivors to get support when the focus should be on trying to change violent behaviour:

*In this Covid context rather than focus on people using violence and then changing their behaviours we’ve gone back to victims having to take responsibility for their own safety – move them and their children out of their homes, put them in a cycle of motels which, if you’re a mum with children you’re going to get better safer accommodation but if you’re a single women and you don’t have any children you get placed in really unsafe places.*

Charlotte stated that the impact of Covid-19 has exacerbated the issues around finding appropriate housing for victims/survivors of family violence. She identified housing as a serious issue that needs to be urgently addressed by government as victims/survivors are spending more time in unsafe emergency accommodation such as motels and boarding houses. She described how victims/survivors are housed in the same accommodation as gang
members and previous offenders, and how some of her clients have been subjected to more violence in these places: “We’ve had a lot of women saying they would rather sleep on the street because they have other men preying upon them in those environments and so they’re actually at risk from sexualised violence”. She stated that placing victims/survivors in motels and boarding houses may address the immediate need of finding accommodation for someone who has just escaped a violent relationship, however she said that victims/survivors often spend a long time in emergency housing rather than being moved on to more permanent accommodation. Speaking about the first lockdown she said:

*We had the police, victim agencies, homeless agencies all putting people in the same accommodation so you end up with yes you’ve got a room but people end up feeling very unsafe and then people get trapped. It’s really hard to get longer term housing once people are in those motels and environments so you address immediate safety but you increase a whole bunch of other issues and that’s something that we haven’t really got on top of at all.*

Charlotte also explained how emergency housing is increasingly being relied upon as a more long-term solution to house victims/survivors, particularly in rural areas as the options for permanent housing are even more limited. This has led to victims/survivors being placed into a cycle of temporary accommodation rather than having a more stable and safe home:

*In Auckland we’re probably slightly more privileged in a sense because there is a lot more motels that are making themselves available...whereas in other areas particularly rural areas there is only one motel, there isn’t a choice, that is a real ongoing concern around starting the cycle of emergency housing as a way of living.*

Charlotte also described how the difficulty for victims/survivors in finding more stable and permanent accommodation is compounded by the stigma that surrounds women who have been part of a violent relationship. She cited the reforms to the Tenancy Act 2020 which enabled victim/survivors of family violence to end a tenancy with only two days’ notice if they were experiencing violence in their home (Residential Tenancy Amendment Act, 2020). While she believed that the reforms were well intentioned, she also stated that her clients and their children have had their applications rejected by landlords due to the stigma that comes with being a victim/survivor of family violence:
There’s probably a perverse danger with the Tenancy Reform Act with landlords who might not want to take in women who have experienced domestic violence because they think “oh they can give their two days’ notice” so whilst on the face of it this looks really positive we do know that a lot of landlords are thinking “single mum with children looking for a private rental, I don’t want to go into this”.

Charlotte highlighted how the lack of appropriate housing for victim/survivors has been an ongoing issue that her organisation has had to face since the first Level Four lockdown and believed that there is a lot more that needs to be done to try and address the lack of safe accommodation:

*It’s really hard to find suitable accommodation. That takes up most of our refuge teams’ time, it’s one of their biggest issues and also for our advocates, women in this emergency housing, trying to find them somewhere that is going to be safe for them to live in the middle of a housing crisis when there’s already stigma attached to their lived experiences, that’s a massive issue for us. I don’t think we’ve got on top of that at all.*

As Charlotte noted the pandemic has exacerbated the existing housing crisis with victims/survivors of family violence being severely impacted by the lack of appropriate housing. Women were placed in unsafe hostels and hotels that in some cases subjected them to more harm and were unable to find more suitable long-term accommodation due to the stigma that surrounds women who have been in a violent relationship. New Zealand’s housing crisis can be viewed as a social harm that has been exacerbated by the pandemic and one that has uniquely disadvantaged victim/survivors of family violence. As mentioned previously in this chapter, New Zealand’s ‘K’ shaped recovery has come at the expense of renters, as their rents escalated once the rent freeze ended and the housing shortage has meant that renters have had to settle for cold, damp homes to avoid being homeless. As Charlotte explained, the struggle to find appropriate housing for victim/survivors existed before the pandemic, however the pandemic made this increasingly difficult due to temporary accommodation such as hotels being repurposed for those who had to isolate and social distancing requirements which only allowed one family in each safe house. As Caroline and Charlotte explained, the onus is often placed on the women to leave their homes with their children rather than removing the abuser. Victim/survivors are asked to make a sacrifice that often places them into a cycle of unsafe temporary accommodation while their abuser can stay in
the family home. The lack of appropriate housing for victim/survivors is a gendered harm that highlights how protections for women are not prioritised by the state, thus demonstrating how initiatives to address family violence are focused on the victim rather than on the abuser.

Participants’ Views on Support Services for Victims/Survivors

Participants were asked if they believed there was enough support for victim/survivors in New Zealand and to give their opinions on what they believed was needed to lower rates of family violence in the wake of the pandemic. Their responses highlighted a range of different perspectives related to government policy and agencies, culture, the justice system, and funding for support services.

Participants in Christchurch focused on improving the way family violence is responded to by police and other government agencies, with more funding required to support those suffering from mental health issues due to violence. Atamai identified that while her organisation witnessed a rise in family violence calls and ISR reports during the first lockdown, this was only a snapshot of the family violence incidents that were happening. She stated that there are many cases that are never reported because of women’s previous negative experiences:

_There’s a lot of mistrust and that's not to say that the police are not doing everything that they can it’s just a lot of people’s experiences in dealing with the police has been quite a negative one and so that actually takes a lot of power away from people wanting to trust the police as well. So a lot of the work that I do is around talking with clients about their relationships with police and a lot of the times I do find that they’ll say “the police didn’t listen to us” or the police came in and just saw one thing and acted on that rather than talk to the whole family._

She stated that the families that she has worked with are often scared of calling the police as they are afraid that other agencies such as Oranga Tamariki will also be called and remove their children from their care. Oranga Tamariki’s child uplift policies have been heavily criticised by Iwi and youth support advocates¹¹, and there has been a recent review into the

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¹¹ In 2019 Ngāti Kahungunu chairman Ngahiwi Tomoana criticised Oranga Tamariki for trying to remove a 6-day old baby from its 19-year old mother. Oranga Tamariki claimed that the babies wider family had a history
organisation by a ministerial advisory board. This review found that Oranga Tamariki has not been effective in supporting children and that they are quick to resort to reactive measures such as removing children from their homes without consulting with other members of the child’s community such as their iwi or hapū. It also outlined the lack of cultural awareness within the organisation (Oranga Tamariki Ministerial Advisory Board, 2021). Atamai believed that this lack of cultural awareness within agencies such as Oranga Tamariki and the police has made families mistrustful of the authorities which prevents them from seeking support:

Families are too scared to call the police because they are afraid of what will happen to their children in terms of Oranga Tamariki and other agencies coming on board. So there’s that whole stigma around families wanting to ring for support but then there’s that fear of what will happen to our kids, what will happen to us? ...I think when police are coming into homes they do have that mindset of one size fits all, whereas you walk into a Pākehā family, mum and dad have been arguing but it’s all fine now things are good versus walking into a Pasifika family and there’s that whole cultural unawareness within that family. For example, the head of the family is the man because he’s got a chief title and things like that. So understanding what might work for some families is definitely not going to work for another family. Police and other agencies are just not aware of that, they will come and in and say “it’s all fine now it’s all good” and then just leave it but there does need to be an individualised approach to individuals and families.

She identified that misconceptions around race and culture, particularly with Māori and Pasifika communities, are common within government agencies and this has led to victims/survivors within these communities to be stigmatised. To demonstrate how common these misconceptions are, Atamai gave an example of when she supported a client who had an appointment with WINZ:

There’s a lot of misconception around how family violence is only prevalent within the Samoan and Māori communities and therefore they’re the only ones who bludge off the system, they’re the only ones that are on benefits. When I walked into WINZ a couple of weeks ago with my client the worker behind the desk thought that I was the client and

of drug abuse which was denied by the mother and her whānau (Collins, 2019). This incident prompted the ministerial review.
didn’t even bother to ask, and of course my client is a Pākehā women and I’m used to that but it shouldn’t be like that. So, I think race is a huge part of where that imbalance is within family violence and I think there just needs to be more awareness around how family violence happens everywhere regardless of how much money you have in your bank account or your postcode where you live and I think there just needs to be workers that work within an agency like WINZ, and OT. There needs to be education around how to deal with people without having that lens of “here comes a Pasifika person, they must be asking for a benefit.” So I think there just needs to be more awareness and empathy around that.

Emma raised concerns about the long waitlists for those who need mental health support which have grown since the first Level Four lockdown. She was particularly concerned with how young children are being denied the counselling and therapy that they need due to having to wait up to a year before they can receive any mental health support. She said that the current approach to mental health support for victims/survivors of family violence is “the ambulance at the bottom of the cliff” as support for those that need it is often given only after they attempt to harm themselves:

_Unfortunately for a lot of these children who are traumatised, the waitlist for counselling or anything therapeutic is six months to a year, to a year and half at the moment...A lot of my experiences with kids who are coming to us who have mental health issues or suicidal behaviours, what they hear back from those mental health agencies is that because of the waitlist they have to wait until something happens and then they can take them on, which is so crazy to think like “we’re going to wait until an eight year old hurts themselves before we do anything”._

Similarly, Katrina suggested more funding towards frontline staff would be useful, so that her organisation could reach more families who were waiting for support:

_I know at the moment we have a waitlist and I know everyone here would like there to not be a waitlist because ultimately it means people that are asking for help are sitting there waiting until we have the capacity to support them so I think there definitely could be more._
When asked if their organisations received any additional government support during the first Level four lockdown, some participants noted that they received extra funds from the government which was helpful in hiring extra workers and purchasing more supplies to help their clients. Caroline stated that this extra boost in funding was helpful in overcoming some of the challenges that her organisation faced during that time:

_We got about $40,000, that was when I was able to employ another worker to help respond to the increase in demand. Out of the 40 I got another worker on board because by that time we were using more petrol you know just to cover utilities, petrol, food, medication._

She also stated how this money was useful in adapting the organisation’s office to accommodate the lockdown restrictions:

_We didn’t have laptops, so straight away we had to get brand new laptops, we had to quickly set up an internal system to be able to access data off-site, have all of us mobile, I was the only one in the office doing assessments in and out._

Charlotte stated that the extra funding helped her organisation to respond quickly to cases of violence which, in turn, helped others who needed support to come forward:

_It meant we that we could be really timely and responsive and I think we probably underestimate the ripple effect that’s informal. If you help someone and get a really good response...it’s a bit like if you go to a good restaurant you’ll say to your friends “oh you should go here”. So I think women knew that we could really help them._

However, at the time of my interview with Charlotte (in the second week of the August 2021 lockdown), she stated that the same funding boost had not been received for the second lockdown:

_So [we have] women at the moment who have no access to government funding who are experiencing abuse from their partners. Before, at the last Level Four alert, we had money from government, and it didn’t really matter about your immigration status either, none of that mattered because we could just fund. I think there are different challenges at this time going through things and it’ll be interesting to see how long it takes government to free up funding to allow us to be timely and responsive._
Participants from the organisation based in Christchurch were unable to answer if they received extra funding during the first Level Four lockdown, however Emma noted that they got support from government agencies that had a contract with their organisation. Speaking during the August 2021 lockdown she said:

*We’re being contracted by the Ministry of Justice and Ministry of Social Development. They have been really good in supporting us even though we might not be doing the work as it’s supposed to look.*

While the extra funding boost was useful for organisations in helping to address the increase in family violence cases, it also highlights the lack of government support that the family violence support sector has received prior to the pandemic. Participants noted how their organisations are often understaffed and under-resourced due to a lack of sufficient funding with organisations often having to rely on outside donations in order to operate effectively. It was only after a global pandemic that the government decided to inject more funds into the sector, and this still only covered basic resources for many organisations. The long waitlist for victim/survivors identified by Katrina, and the lack of appropriate technology to deal with cases as noted by Caroline, sheds light on the struggles that these organisations have faced due to insufficient support and resourcing from government.

**Participants’ Views on Improving Responses to Family Violence**

Participants were asked to give their opinions on what needs to change in order to effectively address the issue of family violence in New Zealand. Responses from participants in Auckland and Wellington focused on changing the institutions and government policies that created barriers for victim/survivors to get support during the lockdown. Julie, for example, stated that the pandemic highlighted the need for government services to listen more to victim/survivors as many felt that their concerns about the safety of their children were being ignored by the police and the justice system:

*I think business have been so much more responsive to Covid because they have this model of consulting and hearing from the consumer because that’s what helps them shape a product and fit demand that drives business. So they want to hear, whereas*
governments and government agencies have never invited feedback, there’s never been the opportunity for feedback loops and they don’t actually have a place to hear it and I think that that was really highlighted in the pandemic as well, because women don’t get the opportunity to feedback on social services. You just get what you get, and you try and complain, and the complaint system is totally ineffective.

Charlotte believed that the response to Covid-19 highlighted how quickly and effectively a government can act during a time of crisis, with agencies and ministries being able to co-ordinate and plan a response to save lives. She stated that the same urgency and planning needs to be utilised to stop family violence deaths in New Zealand:

*If you look at the numbers of intimate partner homicides that we’ve had in the last year, they’re high so we have this elimination strategy for Covid, if we took the same intensity to violence against women and children and family violence...if we look at how many deaths we’ve had from violence compared to Covid, when you look at the severity of the social problem we’re facing and the level of harm and the number people affected I think we need to see a very different response. When it’s a priority the government can do things. It makes you wonder why we can’t use the same level of energy when we have a social problem that is killing every year.*

She felt that the pandemic had shown that responding to family violence deaths is not a government priority:

*Government can be agile, it can access funding immediately, it can lock down, it can put restrictions on people and yet we’re unable to do this in a family violence context. I think it’s a really good juxtaposition to say how serious we are and what deaths matter and what deaths don’t? If we start doing a running tally next to the Covid figures and say this is how many women and children have been killed this month, we might actually start getting people to realise what is happening. So, I do feel that it’s been deprioritised during this pandemic.*

Charlotte stated that it was important to view family violence alongside other issues such as housing and racism as these issues have an impact on violence:
We’re not looking at the issues together. We’re not looking at housing, we’re not looking at institutional racism, we’re not looking at the intersection of all these issues and it’s the intersections of all these issues that we’re trying to help victim/survivors live through every day. So family violence that’s a housing issue, that’s to do with institutional racism, those things intersect and we don’t take an intersectional structural view in the changes that we need to make and we don’t take an intersectional view to people’s lived experiences.

Caroline also believed that family violence should not be viewed as a single issue but one that intersects with other aspects of society such as cultural views on women and structural inequalities:

It’s really around looking at the environment, looking at the evidence and the tactics of power and control, looking at patriarchy and privilege and the hegemony that goes with all that and about male violence and how that continues to go hidden and survives in this economic environment. So look at who’s setting our policies. Who is it that’s in control? Who’s in power in government and why would the Ministry for Women, for example, be one of the smallest funded ministries in all of the ministries?

The responses from participants place family violence within the wider context of structural harm and inequality, which has been exacerbated by the Covid-19 pandemic. The issues that they identified are systemic within New Zealand and are the result of power structures that champion neoliberal and patriarchal policies which strengthen private businesses and weaken services that provide support for communities. For example, the chronic underfunding of the mental health sector has meant that, in the wake of the pandemic, women and children traumatised by violence have been unable to get the appropriate support to help them deal with their experiences. Racial bias and misogynist attitudes within government institutions such as WINZ further disadvantage victim/survivors and ignore complaints about their services and decisions. These issues create layers of harm for victim/survivors of family violence who have not only had to live through a violent relationship but also have to contend with systems that prevent them from getting the necessary support before violence occurs and after.
Conclusion

The government’s actions to stem Covid-19 transmission stands in contrast to their efforts to address family violence. The state was quick to act to limit the economic and health impacts of the pandemic by introducing a range of government assistance measures such as the wage subsidy, rent freezes and the Alert Level system. In this, the pandemic has shown that the government can act swiftly and effectively in times of crisis and is able to make significant changes to economic and social systems in a short space of time. Yet the responses from participants in this chapter show that gendered harms such as family violence have not been given the same level of attention.

Throughout this chapter, participants have highlighted the structural barriers that are in place that disadvantage women generally as well as victim/survivors of family violence in particular, and how these barriers have been exacerbated in the wake of the pandemic. The economic impacts of the pandemic caused tension within families that were struggling financially, creating tensions within families that led to violence. Victims/survivors found it difficult to access support payments or were denied certain benefits which, as Charlotte noted, further marginalised them. New Zealand’s existing housing crisis was amplified during the lockdown which forced victims/survivors into a cycle of unsafe and temporary accommodation, while allowing abusers to continue to live in their homes. While extra funding was given to NGOs who support victims/survivors of family violence, the money was quickly spent on resources that should have been available prior to the pandemic. These barriers are embedded into a neo-liberal regime that consistently denies protection for women and reinforces a patriarchal system in society.

In summary, participants’ recollections show that family violence is a gendered harm that intersects with other social harms such as poverty, lack of housing, racism, and the erosion of the welfare state. These harms are a result of a neo-liberal economic regime that champions profit over people. However, when viewed through a gendered lens, it is clear that these harms are also a product of oppressive patriarchal forces that have prevented addressing family violence as a crisis that needs the same swift action as Covid-19.
Chapter Seven: Discussion

This chapter places the findings of this research into the wider context of the social harm approach by identifying the patriarchal structures, policies and practices that have been intensified by the pandemic and that have uniquely impacted victims/survivors of family violence. The aim of this chapter is to show how the patriarchy is a structural force that needs to be recognised within the social harm approach as it is embedded within our social, cultural, political and economic structures. The first section of this chapter discusses the rise of family violence during the pandemic and how it was a foreseeable harm that was a direct result of the pandemic, focusing on how some of the obstacles that victims/survivors faced were a result of the chronic underfunding of the family violence support sector. Following that is a discussion on how specific patriarchal practices that have disadvantaged victims/survivors of family violence were intensified during the pandemic. Within this section I draw on the work of Armstrong (2021) and Canning (2019) to argue that we cannot understand societal relations, family violence or pandemic responses without an understanding of patriarchy. Finally, I discuss how social harm analysis should expand to view gendered harms like family violence as a result of patriarchal structures and that the social harm analysis should include the patriarchy as a force that works alongside neo-liberal power structures to disadvantage and oppress women.

Violence during the Pandemic

The interviews conducted with participants highlight the difficulties of working through the pandemic and the effect that the pandemic had on women and children who were in abusive relationships. Through their responses it was clear that they experienced an increase in demand for their organisation’s services. The restrictions put in place to reduce the spread of Covid-19 created environments in which the stressors related to violent behaviour could be exacerbated. During the lockdown women were trapped in their homes with abusive partners with their options for escape limited by the restrictions. Abusers were able to use the lockdown to exert more control over their partners and their children by constantly monitoring their movements and activities which made it difficult for women to seek help.
Family violence organisations in New Zealand predicted that the effects of the pandemic and lockdown restrictions would have an impact on family cases and they had to quickly adapt to meet the increase demand in their services. The increase of family violence in New Zealand is consistent with trends seen in other parts of the world and reflected the warnings of the United Nations that violence against women and children would increase during the pandemic (UN Women 2020). Not only has family violence increased, so too has the severity of the abuse that women and children face, with participants reporting a rise in psychological and emotional abuse as women’s fears about the pandemic were exploited by abusers.

The rise of family violence during the first Level Four lockdown was a foreseeable harm. This was reflected in both government and police responses; extra funding was given to family violence organisations and police stated that it was ok for people to leave their bubbles and seek help if they were suffering from abuse. However, the government's response during this time also highlights the chronic underfunding of the family violence support sector in New Zealand as, even with the extra funding, these organisations struggled to stretch their resources in order to address the increased demand for their services. As some participants noted, even though they were able to hire new employees and extra equipment, they still struggled to meet the demand. When viewed alongside the international literature that has documented the rise in violence against women and children in other parts of the world during the pandemic, the increase in cases as reported by participants is not surprising. In times of crisis, such as natural disasters, violence against women increases. For example, following the Christchurch earthquakes in 2010 and 2011, Christchurch Women’s Refuge reported an increase in demand for their services following the quakes and New Zealand Police recorded a 53% increase in callouts to family violence incidences in the weeks following the 2010 quake (Campbell and Jones, 2016; True, 2013). Similarly, following the Black Saturday Australian bushfires, healthcare workers reported an increase in family violence cases (Parkinson, 2013). The Covid-19 pandemic is yet another crisis which has resulted in a rise of family violence cases however, as participants noted, the full extent of this increase will not be seen in official data due to the fear of reporting violence to the police.

The increase in violence can be seen as a direct result of the effects of the pandemic. The restrictions put in place to stem community transmission of the Coronavirus forced some women to be locked down with their abuser while also creating tensions within families that
may not have experienced violence before. With New Zealand’s high rate of family violence prior to the pandemic, the response from the government was inadequate as it placed an onus on victims/survivors to get help rather than focus on the underlying structural inequalities that contribute to violence against women. The lockdown provided unique opportunities for abusers who commit violence through tactics of control, surveillance and coercion. Participants’ responses showed that abusers were able to use the lockdown to closely monitor their partners and used power and control tactics such as monitoring their internet and phone activity. This meant that even though the government and police stated that women were allowed to leave their homes during lockdown to escape family violence, the opportunities to do so were very limited. Similarly, support workers within the family violence sector were unable to check in on their clients in person which made it difficult for them to determine if they needed help.

These obstacles meant that victims/survivors were primarily responsible for their own safety. If they felt threatened or in danger, it was their responsibility to call for help or to leave their home, it was their responsibility to find safe accommodation for themselves and their children, and it was their responsibility to seek financial support if their income was cut off by their abuser. Placing the onus on victims/survivors to protect themselves is indicative of how neo-liberal principles have been entrenched within New Zealand society. Neo-liberal economies promote the principle that individuals should take personal responsibility for their welfare and not rely on the state for assistance. It is expected that the most vulnerable in society will be able to fend for themselves and that it is their responsibility to better their situation. This is reflected in the response to family violence during the lockdowns with women expected to be resilient during a time of intense victimisation which often meant staying at home with their abusive partner.

**Patriarchal Systems**

DeKeseredy’s (2021) definition of patriarchy, as outlined in Chapter Two, describes the patriarchy as a “hierarchical organisation of social institutions and relationships that allows men to maintain positions of power”. These social institutions and relationships are embedded within neo-liberal economic regimes and work within them to subordinate women
and protect men. New Zealand’s government agencies and institutions have prioritised patriarchal power structures, through policies and practices that have had disproportionately negative effects on women. This is reflected in the state’s general response to family violence which focuses primarily on policing and punishing family violence through the justice system rather than understanding and challenging the gendered power relations that promote violent masculinities. Because of this approach New Zealand’s response to family violence was described by some participants as being “the ambulance at the bottom of the cliff”, only helping women after they have been victimised rather than trying to prevent violence from occurring in the first place. The impact of the Covid-19 pandemic intensified these patriarchal practices and highlighted how these practises work to disadvantage victims/survivors of family violence.

**Patriarchal systems and the pandemic**

The activities of the Family Court in New Zealand provide examples of how patriarchal power structures are prioritised over women’s safety. The institution has continuously ignored the concerns of victims/survivors and in some cases has pressured them into having further contact with their abusive partner to reach a court settlement. Women have been bullied by those who work within the Court to drop or lessen charges against their abuser and have been denied access to a support person because their abuser does not want them to have one. Participants often felt that, within the Court, the rights of abusive men were prioritised over the rights of victims/survivors and that there was a lack of understanding within the Court about power and control tactics. Patriarchal forces are also reflected in how the Court approaches child custody cases, with women often having to share custody with their ex-partner despite a history of abuse, this in turn can lead to further victimisation as abusers exert more control over their ex-partners through child custody arrangements. This reflects the traditionalist values of the Court that are underpinned by patriarchal views about family and the role that men and women play within them. Within these cases parents are expected to put the ‘best interests’ of their children before themselves however this expectation represents a lack of understanding about family violence and how abusers use power and control. The Family Court as an institution is influenced by patriarchal views about women and family violence and this is reflected in its decisions with regards to victims/survivors who go through the court process.
The pandemic intensified and exacerbated the issues within the Family Court with children being forced to live with an abusive parent even during lockdown periods where sharing custody could lead to an exposure to Covid-19. Once again, the concerns of victims/survivors were ignored such as when some women were forced to give contact information to their abusive ex-partner so that he could have further contact with his child during lockdown. These orders could have potentially placed victims/survivors in danger as their ex-partners were able to contact them directly or find out where they lived. However, when these concerns were raised, the Court once again reiterated that they expected parents to work in the best interests of their children. Victims/survivors were also scared to raise their concerns with the Court for fear of being seen as obstructionist and losing custody of their children to their ex-partner. The minimisation of women’s concerns by the Family Court during the lockdown is indicative of the patriarchal structures within the court system. Refusing to recognise that some victims/survivors and their children were in danger of being harmed during the first lockdown highlights how gendered harm such as family violence has been subjugated by state institutions such as the Family Court to protect and promote patriarchal forces within society.

Government messaging during the lockdown is another example of how patriarchal practices were intensified during the pandemic. It reflected a misunderstanding of how abusers use power and control tactics to abuse their partners as messaging during the lockdown focused on victims/survivors being able to break their bubble without any consideration of the difficulties that victim/survivors face when trying to leave an abusive relationship. As reported by participants, incidences of psychological and emotional abuse increased during the first lockdown with abusers exploiting their partner’s fears of the virus to prevent them from leaving and smashing their phones to stop them from calling for help. The government’s approach to family violence during the lockdowns reflects historical attitudes towards violence in the home in which violence is viewed as a private matter within the household (Roper, 1987). Despite the warnings from the family violence support sector that the impacts of the pandemic and the lockdown would increase rates of family violence, police and support workers were not given the opportunity to physically check in on families that had a history of family violence or that may have been vulnerable to experiencing violence during the lockdown.
From a social harm perspective, placing the onus on victims/survivors to get help further entrenches the structural inequalities between men and women in society as it shifts focus away from abusive men and the patriarchal attitudes that influence their abusive behaviour and places the responsibility firmly on women to prevent family violence from occurring. As some participants noted, policing during the lockdown was focused on getting women and children out of their homes in which violence was occurring while leaving the abusive partner to remain in the home, this highlights the traditional patriarchal view that the man is the head of the household while ignoring the needs of the victims/survivors. Placing the responsibility on women to protect themselves from violence also distracts from the structural inequalities that can have an impact on family violence such as a lack of job security and financial uncertainty which participants reported as being a cause of tensions in some relationships. The government’s messaging during the lockdown highlights how patriarchal structures within state agencies prioritise male experiences and demands over the safety and protection of women.

**Recognising the patriarchy as a structural force**

Recognising the structural forces behind gendered social harms is important in understanding how these structures work to inflict harm on women and how they intersect with other structural forces. Here, I have drawn on two studies that utilise a social framework that recognise gendered related harm, Armstrong (2021) and Canning (2017, 2019) have both identified social harms that are specifically gendered in the way they impact on women. Armstrong’s (2021) study highlights the experiences of sex workers in New Zealand where sex work is decriminalised while Canning’s (2017, 2019) work is based on female migrants’ experiences within the British asylum system. Armstrong (2021) notes how the decriminalisation of sex work in New Zealand has mitigated the harms that female sex workers face in relation to countries where sex work is illegal. She states that countries that criminalise sex work do so because they see sex work as harmful, however the criminalisation of sex work actually places women in more danger as they are unable to protect themselves legally. Similarly, Canning (2019) found that the spatial controls restrict within the asylum system prevent female migrants from building meaningful relationships, which is identified by Pemberton (2016) as a social harm. These studies show how structural powers such as the
patriarchy can enforce practices that inflict harm specifically on women and how they can be analysed within the social harm perspective.

The examples of patriarchal practices identified in the previous section highlight how specific institutions and agencies in New Zealand are influenced by patriarchal structures that exacerbate the harm felt by victims/survivors of family violence. As seen in Chapter Two, family violence is a gendered harm however the political, social, cultural and economic structures that underpin violence against women are not currently part of New Zealand’s response to family violence. Resources to address family violence have been individualised focusing on police interventions and punishment of abusers. The current response to family violence in New Zealand is interwoven with existing social harms such as economic and social inequality and in many ways further victimises women rather than supporting them. As the previous examples showed, women are removed from their homes for their own safety yet there is nowhere for them to go due to other existing social harms such as the housing crisis. This approach also pushes victims/survivors into a criminal justice system where they are further traumatised and discriminated against leading them to be distrustful of a system that is supposed to support them. New Zealand’s family violence response neglects to address the contributing factors that allows violence to occur such as gender inequality, poverty and cultural attitudes about masculinity. Patriarchal forces embedded into New Zealand’s systems and agencies have prevented a family violence response that address these gender and structural inequalities between men and women in society which is why it is crucial to recognise the patriarchy as a structural force alongside that of neo-liberalism when analysing gendered social harms.

**Expanding the Social Harm Analyses**

Social harm analysis helps us to understand the power structures within neo-liberal and capitalist economic regimes and how these structures work to inflict harm on individuals. While the social harm approach is primarily focused on identifying state and corporate actors as the perpetrators of harm, this research proposes that the patriarchy should be recognised as a powerful force that operates within neo-liberal structures to inflict gendered-harms such as family violence. Within the current literature social harms are seen as policies and practices
that prevent or deny individuals from fulfilling their needs and flourishing in society (Pemberton, 2016). When applying a gendered lens to social harm analysis these policies and practices can be seen within the wider context of the patriarchy and how patriarchal structures and systems work to inhibit women’s flourishing in society.

For example, when looking at family violence during the pandemic through the categories of harm as proposed by Hillyard and Tombs (2004) it becomes clear that certain social harms such as poverty and neglect can also be uniquely gendered as they can impact on gendered violence. In Hillyard and Tombs’ (2004) categories of harm, physical harms are identified as serious injuries or death as a result of negligence, exposure to toxins, lack of adequate food and shelter and torture by the state. Applying this definition to family violence during the pandemic would recognise any deaths or injuries that were related to family violence incidences as being a result of the neglectful actions by the state. As seen in the findings chapters, victims/survivors were forced into lockdown with their abuser with the onus placed on them to escape their household and find safer accommodation. A gendered lens can also be applied to financial/economic harms which includes citizens living in poverty without adequate support to remove them from hardship. Throughout both lockdowns, victims/survivors struggled to get financial support from state agencies such as WINZ and had to rely on NGOs for groceries and vouchers to pay for bills. The lack of financial support can also be related back to physical harms as financial insecurity created tensions in relationships that led to family violence incidences. Similarly, victims/survivors experienced a range of psychological and emotional harms that related to family violence during the lockdown. Victims/survivors were emotionally and psychologically abused by their partners and the movement between Alert Levels heightened their anxieties amongst some victims/survivors who were victimised during previous lockdowns. Victims/survivors also experienced psychological and emotional harm from state institutions such as the Family Court which forced them to have contact with their abusive ex-partners and put their children in danger through custody arrangements.

The final harm of cultural safety which involves the right of citizens to have individual autonomy and opportunities for development and growth can also be applied to family violence during the pandemic as victims/survivors were denied these rights as a result of state actions to respond to family violence. For example, victims/survivors who were placed into
emergency housing such as a hotel or hostel were in environments which were unsafe and, in some cases, created further trauma as they were re-victimised by others in these environments as identified by Charlotte in Chapter Six. These facilities were not set up to properly house victims/survivors of violence, yet some women had to remain in these facilities for months due to the lack of appropriate housing. These facilities denied women and their children opportunities for development and growth and prevented them from achieving individual autonomy.

In relation to this, Pemberton’s (2016) definition of social harm includes harms that are socially mediated. These are harms that are foreseeable and therefore could be prevented however structural forces such as the state or corporate actors allow these harms to happen in the pursuit of profit. Recognizing the patriarchy as a structural force within the social harm analysis means that harms related to gendered violence, like the ones identified in this research, should be viewed as socially mediated and preventable. These harms are the result of policies and practices that have worked to prevent the flourishing of women in society.

These policies have consistently undermined protections for women against family violence by limiting their access to support services through chronic underfunding and through exacerbating the stressors that related to violence in the home such as financial insecurity. It is important to acknowledge that the harms that have been identified in this research are underpinned by patriarchal structural practices that work to disadvantage and oppress women. Expanding the social harm approach to include patriarchal forces is crucial in strengthening our understanding of how the patriarchy operates within neo-liberal and capitalist states and in turn will broaden the social harm definition to include harms that are uniquely gendered.

**Conclusion**

This chapter has placed the findings from this research within the wider context of patriarchal power structures arguing that the harms experienced by victims/survivors was foreseeable and reflected the prioritisation of patriarchal forces over the protection of women. The intensification of patriarchal practices during the pandemic was demonstrated through the actions of the Family Court during the lockdown and through the government response to
addressing violence which placed the onus on victim/survivors to get support. The intensification of patriarchal practices that inhibited women’s protections from family violence highlights why it is important for the social harm approach to recognise the patriarchy as a structural force that operates within neo-liberal societies, as it enables social harm researchers to view gendered harms such as family violence through the lens of social harm. By taking a gendered perspective to social harms we can recognise and challenge the policies and practices that have made women vulnerable to violence. Framing social harm in this way could advance justice for victims/survivors and women in general by shifting family violence responses away from personal responsibility and punishment and instead consider the gender inequalities within society that have allowed gendered social harms to occur.
Chapter Eight: Conclusion

This thesis has argued for an expansion of the social harm framework to recognise the patriarchy as a structural force alongside political and economic power structures that have already been identified by the social harm perspective. Using family violence in New Zealand as a case study this research has explored how structural harms within neo-liberal economic regimes are also gendered, as they can have a unique impact on women by exacerbating other gendered harms such as family violence. When analysing family violence in New Zealand through a social harm framework it is clear that New Zealand’s response has not addressed the cultural, social, political and economic structures that intersect with patriarchal systems and reduce protections for women while strengthening the positions of men.

While I do not expect this thesis to topple the patriarchy, I do believe that the issues raised by participants should not be ignored. Participants’ responses highlight the structural flaws within New Zealand’s response to family violence with the current approach being the ambulance at the bottom of the cliff. Policing family violence rather than trying to prevent it means that the high rates of family violence recorded in this country are only going to continue. An understanding of the patriarchal attitudes, cultures and structures within society that underpin violence against women should be a part of New Zealand’s response to family violence as this is the only way to understand how violence occurs.

Throughout this research I have been struck by a quote from Charlotte which is repeated from Chapter Five, she said “If we start doing a running tally next to the Covid figures and say this is how many women and children have been killed this month, we might actually start getting people to realise what is happening”. To me this highlighted just how serious the issue of family violence is in New Zealand, and it should be given the same shift and direct attention that has been reflected in the government’s Covid response.
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Appendix A: Interview Guide

Interview Guide

- Can you tell me about yourself and your role here
- How do you see the state of family violence generally in New Zealand
- Do you think there has been an increase in family violence due to the effects of the pandemic?

The First Lockdown

- Was there an escalation in certain types of violence during and following the lockdown?
- Do you think the lockdown made it harder for victims/survivors to access support?
- What were some of the main obstacles that victims/survivors faced when seeking help/support during the lockdown? What are some of the challenges that your organisation faced during the lockdown?
- What government support did you receive during the initial lockdown?
- Have you received ongoing support in the months following the lockdown?
- Were you able to work with other government agencies effectively during the lockdown?

After the Lockdown

- What has been the experiences of victims/survivors in the aftermath of the initial lockdown?
- How has the movement between levels had an effect on how your organisation operates?

Family Violence and Political/Socio-economic Settings

- Are there any continuing government policies that reduce protections for women who endure family violence? (e.g. what are they? how do they reduce protection?)
- Did Covid-19 impact on these policy settings in any way? (positive/negative)
- What social/political conditions do you think need to change to lessen violence against women in NZ?
- Have these social conditions worsened during/after the pandemic? (For example, do you think economic/financial uncertainty due to Covid-19 has had an effect on family violence)?
- How might we address these conditions/inequalities
• Do you think there is enough support for victims/survivors of family violence in New Zealand (If no: what more do you think needs to be done)?

• Is there anything else you would like to add to our discussion?
Appendix B: Information and consent forms

The Shadow Pandemic: The exacerbation of social harm during the Covid-19 crisis

INFORMATION SHEET FOR PARTICIPANTS

You are invited to take part in this research. Please read this information before deciding whether or not to take part. If you decide to participate, thank you. If you decide not to participate, thank you for considering this request.

Who am I?
My name is Lennon Papesch and I am a Masters student in Criminology at Victoria University of Wellington. This research project is work towards my thesis.

What is the aim of the project?
This project aims to explore the effect of the coronavirus pandemic on family violence in New Zealand with a particular focus on the level four lockdown and the months following the lowering of alert levels. Your participation will support this research by providing knowledge of the experiences that NGOs and victims/survivors of family violence faced during the level four lockdown and the months following. This research has been approved by the Victoria University of Wellington Human Ethics Committee [add ResearchMaster application reference number i.e. #xxxxx].

How can you help?
You have been invited to participate because of your expertise/knowledge of family violence in New Zealand. If you agree to take part I will interview you over zoom. I will ask you questions about how the coronavirus pandemic and the government’s response to it has impacted/affected NGOs and victims/survivors of family violence in New Zealand. The interview will take approximately 40 minutes. I will audio/video record the interview with your permission and write it up later. You can choose to not answer any question or stop the interview at any time, without giving a reason. You can withdraw from the study by contacting me at any time before 1/08/2021. If you withdraw, the information you provided will be destroyed or returned to you.

What will happen to the information you give?
This research is confidential*. This means that the researchers named below will be aware of your identity but the research data will be combined and your identity will not be revealed in any reports, presentations, or public documentation. However, you should be aware that in small projects your identity might be obvious to others in your community.

* Confidentiality will be preserved except where you disclose something that causes me to be concerned about a risk of harm to yourself and/or others.
You will not be named in the final report but your organisation will be named (provided you have the authority to agree to this on behalf of the organisation).

Only my supervisors and I will read the notes or transcript of the interview. The interview transcripts, summaries and any recordings will be kept securely and destroyed on 30/9/22.

**What will the project produce?**
The information from my research will be used in a Masters Thesis.

**If you accept this invitation, what are your rights as a research participant?**
You do not have to accept this invitation if you don’t want to. If you do decide to participate, you have the right to:

- choose not to answer any question;
- ask for the recorder to be turned off at any time during the interview;
- withdraw from the study before 1/08/21;
- ask any questions about the study at any time;
- receive a copy of your interview recording;
- receive a copy of your interview transcript;
- read over and comment on a written summary of your interview;
- be able to read any reports of this research by emailing the researcher to request a copy.

**If you have any questions or problems, who can you contact?**
If you have any questions, either now or in the future, please feel free to contact either:

**Student:**
Name: Lennon Papesch
University email address: lennon.papesch@vuw.ac.nz

**Supervisor:**
Name: Elizabeth Stanley
Role: Deputy Head of School
School: School of Social and Cultural Studies
Phone: elizabeth.stanley@vuw.ac.nz

**Human Ethics Committee information**
If you have any concerns about the ethical conduct of the research you may contact the Victoria University of Wellington HEC Convenor: Associate Professor Judith Loveridge. Email hec@vuw.ac.nz or telephone +64-4-463 6028.
The Shadow Pandemic: The exacerbation of social harm during the Covid-19 lockdown

CONSENT TO INTERVIEW

This consent form will be held for a minimum of five years.

Researcher: Lennon Papesch, School of Social and Cultural Studies, Victoria University of Wellington.

- I have read the Information Sheet and the project has been explained to me. My questions have been answered to my satisfaction. I understand that I can ask further questions at any time.

- I agree to take part in a video/audio recorded interview.

I understand that:

- I may withdraw from this study at any point before 1/08/21, and any information that I have provided will be returned to me or destroyed.

- The identifiable information I have provided will be destroyed on 30/09/22

- Any information I provide will be kept confidential to the researcher and the supervisor.

- I understand that the findings may be used for a Masters Thesis

- I understand that the notes/recordings will be kept confidential to the researcher and the supervisor.

- I understand that organisational consent has been provided and the organisation will/will not be named in any of the reports.

- My name will not be used in reports and utmost care will be taken not to disclose any information that would identify me.

- I would like a copy of the recording of my interview: Yes □ No □

- I would like a copy of the transcript of my interview: Yes □ No □

- I would like a summary of my interview: Yes □ No □

- I would like to receive a copy of the final report and have added my email address below: Yes □ No □

Signature of participant: ________________________________

Name of participant: ________________________________