

Submission on the Social Security (Stopping Benefit Payments for Offenders) Amendment Bill



WOMEN'S REFUGE

NATIONAL COLLECTIVE OF INDEPENDENT WOMEN'S REFUGES INC.
Ngā Whare Whakaruruhau o Aotearoa

Introduction

1. The National Collective of Independent Women's Refuges (NCIWR) is a non-governmental organisation delivering services to women and children affected by domestic violence in New Zealand. NCIWR provides support, advocacy, legal, and health services to 16,507 clients annually. 52 percent of these are women, and 48 percent are children. Last year, 2,852 women and children needed to be admitted into our safe houses to protect them from ongoing violence.
2. Please note we wish to appear before the Select Committee for this Bill.
3. In principle, NCIWR supports intention behind this Bill, and the impetus generally to serve consequences to repeat offenders. However, we have remaining concerns, primarily around the potential for these sanctions to disproportionately affect women who are not the offenders who are subject to the sanction, but who may nevertheless bear the impacts of consequent poverty and possible escalation in violence by an intimate partner.

Objectives and Unintended Consequences

4. The Social Security (Stopping Benefit Payments for Offenders who Repeatedly Fail to Comply with Community Sentences) Amendment Bill was presumably designed to incentivize compliance with community sentences. We question the evidence base underpinning this assumption, as we are unaware of situations in which monetary sanctions have compelled previously non-compliant offenders to then comply with sentences. However, our concern chiefly lies with the high potential for unintended consequences to adversely impact women who are in relationships with abusive partners.
5. NCIWR frequently work with women whose access to financial resources is controlled solely by their (violent) intimate partners. In many cases, women do not have access to their own bank accounts, are unaware of the amount they may be receiving from Work and Income, and are given a miniscule proportion of the total household income to maintain the family. Some women are forbidden to access financial support themselves, leaving them wholly dependent on their partners for food, shelter, clothing, and other basic necessities. Many others have their own income, but this is wholly or partially appropriated by the abusive partner, so that the partner may have access to her money as well as his own.
6. Many of these women have children to abusive partners, or to previous partners, and are struggling to survive financially. Any deduction from their weekly subsistence payments is likely to be financially catastrophic for the family, putting the children's well-being at risk.

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7. While it is hoped that this policy would only affect the group it is targeted at, it is impossible for these effects, in the context of violent relationships, not to be borne by a victim who is subjected to multiple manifestations of power and control by the offender. For example, an offender who lives separately to the victim, but takes a proportion of her income weekly to maintain his own lifestyle, may have his own benefit cut and consequently take more of hers. In other instances, the family might be on a joint benefit, and the partner and children forced further into poverty because of the non-compliance of the offender.
8. NCIWR would also like to highlight the effects on children on any benefit sanctioning. Children are not the perpetrators of their parents' crimes, yet suffer immeasurably following any loss to family income. We therefore urge the Committee to consider these unintended consequences to victims and secondary victims – bearing in mind the often hidden, secretive, and isolating nature of family violence on women and children – when making their recommendations regarding this Bill.
9. In sum, NCIWR recommends that this policy not be passed into law, due to an absence of evidence supporting its efficacy, the potential for significant harm to be an unintended but widespread consequence for women in relationships with abusive partners, and the profound adverse impacts sanctioning has on children.