

TE WHAKAREKEREKE Ā-WHARE ME TE TURE

E whakarato tirohanga whānui tēnei pukaiti i te whakarite i te whakarekerekere ā-whare i roto i ngā kōti me te āwhina a ngā whakatau whakamarutanga ki te haumaruru i ngā tāngata mai i te whakarekerekere ā-whare i Aotearoa.

Ka whakamōhio atu tēnei pukaiti whakamārama ki a koe:

- he aha te whakarekerekere ā-whare
- he aha te whakatau whakamarutanga
- e pēhea ana te waihanga whakatau whakamarutanga
- ko wai ka tiakina e te whakatau whakamarutanga
- he aha ngā āhuatanga o tētahi whakatau whakamarutanga
- he pēhea te roa o te whakatau whakamarutanga
- ka aha mēnā ka wāhia tētahi whakatau whakamarutanga
- ngā hōtaka koreutu
- ārai whakarekerekere
- ngā pānga o ngā whakatau whakamarutanga i ngā whakaritenga mō te tiaki tamariki
- he aha ngā whakatau rawa
- he aha te whakatau pirihiimana
- he aha te pānga o tētahi whakatau pirihiimana
- ka aha mēnā ka wāhia tētahi whakatau pirihiimana
- ki hea haere ai mō ētahi atu whakamārama

HE AHA TE WHAKAREKEREKE Ā-WHARE

E tautuhia ana te whakarekerekere ā-whare i roto i te Domestic Violence Act 1995 he:

TŪKINO Ā-TINANA: ngā whanonga pēnei i te mekemeke, papaki, whana rānei i te tangata

TAITŌKAI: ngā momo pānga hōkaka kāore e whakaaehia ana

TŪKINO HINENGARO: te whai mōhū i te tangata, te tūkino taonga, te whakamataku ki te whakarekerekere, te tūkinotanga rānei, te werowero, te whakawehi, te whakaataata rānei i te tangata. Tērā pea ko te whakahaere i te ora o tētahi tangata mā te whakamōraro auau i a ia, te whakahaere rānei i ana moni, wā, motukā, te aukati rānei i te kite i ōna hoa hei whakaatu i tōna kaha i runga i a ia. He tūkino hinengaro anō mēnā ka tukuna e te kaiurupare tētahi tamaiti ki te kite, ki te rongorongo rānei i te whakarekerekere ā-whare.

HE AHA TE WHAKATAU WHAKAMARUTANGA?

Ka waihangahia tētahi whakatau whakamarutanga e tētahi kaiwhakawā hei tiaki i ngā tāngata mai i te whakarekerekere ā-whare.

Ka taea e te kaiwhakawā te waihanga i tētahi whakatau mēnā e tau ana ki a ia:

- i pā te whakarekerekere ā-whare, ā,
- e hiahia ana te whakatau hei whakamaru i te tangata, tamariki hoki e noho ana me ia mai i te tangata tākaha.

HE PĒHEA TE WAIHANGA I NGĀ WHAKATAU WHAMARUTANGA?

KŌTI WHĀNAU

Ka taea e tētahi tangata e hiahia tiakitanga mai i te whakarekerekere ā-whare te tono mō tētahi whakatau whakamarutanga mā te Kōti Whānau. Ka taea e te Kōti Whānau te waihanga whakatau whakamarutanga rangitahi, ko te tikanga i taua rā tonu, mēnā e whāwhai ana. Mēnā kāore i te whāwhai tō tono, ka whai wāhi te kaiurupare ka te kōrero i ōna whakaaro mō te kaupapa i mua i te whakatau a te Kōti Whānau mō te whakatau whakamarutanga.

Mō te tono mō tētahi whakatau whakamarutanga me noho koe i roto i tētahi whanaungatanga ā-whare me tētahi tangata e tākaha ana ki a koe E tautuhia ana te “whanaungatanga ā whare” e te Domestic Violence Act 1995, arā:

- he tokorua mārena
- he tokorua noho whare
- he tokorua tōingo me ngā tokorua takāpui wāhine
- ngā tokorua tōingo kua hono ā-turetia
- ngā mātua me ngā tamariki
- ngā mema o te whānau kotahi
- hoa noho whare, ētahi tāngata rānei e noho ana i roto i te whare kotahi, whare noho rānei
- ngā tāngata i roto i ngā whanaungatanga whaiaro tata, ahakoa noho tahi ana, kāore rānei

KŌTI TOIHARA

Ka taea e te **kōti toihara** te waihanga whakatau whakamarutanga hei tiaki i ngā pāpurenga mai i te whakarekerekere ā-whare. Ka taea e te kōti toihara:

- tētahi whakatau whakamarutanga rangitahi mēnā ka wāhia tētahi **whakatau haumarū pirihihana**
- tētahi whakamarutanga whakamutunga mēnā ka whakaharaina te tangata mō tētahi toihara whakarekerekere ā-whare.

KA TIAKI TE WHAKATAU WHAKAMARUTANGA I A WAI?

Ka tiaki te whakatau whakamarutanga i te tangata nāna i tono mō te whakatau, te pāpurenga rānei o te toihara, te tangata rānei e tiakina ana e te whakatau haumarū pirihihana. Ka kīa tēnei tangata he kaitono. Ka tiakina anō ngā tamariki e noho ana me ia.

Ka taea anō e te whakatau te tiaki i ētahi atu e hiahia whakamarutanga mai i te kaiurupare, pēnei i tētahi hoa hou, tamariki pakeke ake, tētahi hoa noho rānei. Ka whakaingohia ēnei tāngata i runga i te whakatau.

Ka tiakina rātau e te whakatau whakamarutanga mai i te kaiurupare (te tangata tākaha), ā, mēnā e hiahiatia, tētahi atu tangata e ākina e te kaiurupare ki te tākaha atu ki ngā tāngata whakamaru (te hoa urupare).

HE AHA NGĀ HERE O TE WHAKATAU WHAKAMARUTANGA?

Ka whakatū here (ture) te whakatau whakamarutanga e kore e taea e te kaiurupare te wāhi (whati). Ki te wāhia e te kaiurupare tētahi here i roto i te whakatau, ka taea te mauhere i a ia me te whakaharaina e ngā Pirihihana ki tētahi **hara toihara**.

NGĀ HERE WHAKAREKEREKE-KORE

Kaua rawa te kaiurupare ki te whakatau whakamarutanga e:

- tūkinō (ā-tinana, taitōkai, hinengaro) i ngā tāngata e tiakina e te whakatau
- tūkinō, whakatuma ki te tūkinō rānei i ō rawa, ngā rawa rānei a tētahi atu tangata e whakamaruhia ana
- tūkinō, whakatuma ki te tūkinō rānei i ngā rawa a tētahi atu tangata e whakamaruhia ana
- āki i tētahi atu ki te tūkinō, ki te whakatuma rānei i a koe, tētahi atu tangata whakamaru rānei.

NGĀ HERE WHAKAPĀ-KORE

Kaua rawa te kaiurupare ki te whakatau whakamarutanga e:

- haere ki te kāinga, wāhi mahi, kura rānei o te tangata whakamaru
- haere ki ngā wāhi e haere auauhia e te tangata, pēnei i tō rātau wāhi mahi, takiwā noho, wāhi ako rānei.
- te whaiwhai haere i te tangata whakamaru
- te aukati i ngā haerenga mai, haerenga atu hoki o te tangata whakamaru
- te waea, te tuku reta, waea whakaahua, Īmēra, pato waea rānei, te whakapā rānei ki te tangata whakamaru mā tētahi atu āhuetanga.

kāore e pā mai ngā here whakapā-kore mēnā e noho tahi ana te kaiurupare me te kaitono. Ka taea e te kaitono te kī atu ki te kaiurupare kāore ia e hiahia kia noho tahi ahakoa he aha te wā. Ki te pēnei ka whakatauhia ngā here whakapā-kore.

Me haere te kaiurupare mēnā ka pātaihia ia, ki te kore kei te wāhi ia i te whakatau whakamarutanga, ā, ka taea te mauhere me te whakapā hē ki tētahi hara toihara.

NGĀ WHAKAWĀTEATANGA

Ka taea e te kaiurupare te whakapā ki te tangata, tāngata whakamaru rānei :

- kua pā mai he mate whawhati tata, ā, ko te whakapā he āhua whai hiahia
- mēnā e āhei ana te whakapā i raro i tētahi whakatau kōti (pēnei i tētahi whakatau mātuatanga), he whakaaetanga mātuatanga ā-tuhi rānei i waenga i te kaiurupare me te tangata whakamaru
- e āhei ana i raro i tētahi here motuhake o te whakatau whakamarutanga
- ki te haere ki tētahi hui rōpu ā-whānau e whakahaerehia ana i raro i te Children, Young Persons and Their Families Act 1989.

NGĀ HERE MOTUHAKE

Kei roto pea i te whakatau whakamarutanga ētahi here motuhake, hei tauira, ngā whakaritenga whakapā e āhei te kaiurupare te whakapā, ā, te kite i ana tamariki.

NGĀ RĀKAU O TE RIRI

Ina waihangahia tētahi whakatau whakamarutanga rangitahi, me hoatu e te kaiurupare ki ngā Pirihimana:

- ngā raihana pū mēnā e whai pū ana, me
- ngā rākau riri e mau ana ia. ko ngā rākau riri ko tētahi momo pū, pū kurutē, ngutu pārera, rākau riri rāiti, hāmanu, pahū rānei.

mēnā ko te kaiurupare te take o tētahi whakatau whakamarutanga whakamutunga, ka whakakore aunoahia tā rātau raihana pū e ngā Pirihimana.

NGĀ HŌTAKA ĀRAI WHAREKEREKE

Ina waihangahia he whakatawhakamarutanga, i te nuinga o te wā ka whakahauhia te kaiurupare e te kōti ki te haere ki tētahi hōtaka ārai whakarekereke. Kei runga ngā pārongo mō te hōtaka i runga i te whakatawhakamarutanga (arā, te wā me te wāhi hei whakamōhio atu i a ia ki tētahi kaiwhakarato hōtaka).

Ka ākona te kaiurupare e te hōtaka ārai whakarekereke ki:

- te whakarekereke ā-whare me ōna pānga ki ngā pāpurenga
- ngā mahinga a te Domestic Violence Act 1995
- ngā pūkenga mō te noho me te kore whakarekereke me te whakarite mō te tūpono ki tētahi taupatupatu, tutūtanga rānei

Ka hāngai te hōtaka ārai whakarekereke mō te kaiurupare takitahi, rōpū rānei. E herea ngā kaiurupare ki te haere ki te hōtaka ia wiki mō ētahi wiki maha. Kāore he utu mō te hōtaka.

E HIA TE ROA E NOHO MANA AI TE WHAKATAU WHAKAMARUTANGA?

E toru marama te wā o tētahi whakatawhakamarutanga rangitahi engari rawa mēnā ka tutuki i te kaiurupare te whakangungu. Ina eke te toru marama ka tūturu te whakatawhakamarutanga.

Ka pūmau tonu te whakatawhakamarutanga, engari rawa mēnā ka tono te kaitono, te kaiurupare rānei ki te Kōti kia hikina, ā, me te whakaae anō o te Kōti ki tēnei.

KA AHA MĒNĀ KA WĀHIA NGĀ HERE O TE WHAKATAU WHAKAMARUTANGA?

He hara toihara te wāhi i ngā here o te whakatawhakamarutanga. Ki te whakapā hētia tētahi kaiurupare e ngā Pirihimana mō tētahi wāhitanga, ka tū rātau ki mua i te kōti toihara.

Tērā pea ka whiwhi ngā kaiurupare i tētahi whakaaturanga toihara **me te mauhere atu ki te rua tau.**

He hara toihara anō mēnā kāore ngā kaiurupare e haere me te whakatutuki i tētahi hōtaka ārai whakarekereke. Ki te whakaharaina tētahi kaiurupare i roto i tētahi kōti toihara mō tēnei hara tērā pea **ka whainahia rātau atu ki te \$5,000, ka heria rānei ki te whare herehere mō te neke atu ki te ono marama, ME** te haere tonu ki tētahi hōtaka.

NGĀ HŌTAKA MĀTAURANGA WHAKAREKEREKE Ā-WHARE ME TE TAUTOKO KOREUTU

Ka taea e ngā tāngata whakamaru (me ngā tamariki) te whai wāhi ki te mātauranga whakarekereke ā-whare me ngā hōtaka tautoko a te Kōti. Whānau he mea **koreutu** me te **matatapu**.

Ka taea e ēnei hōtaka te āwhina i ngā tāngata whakamaru ki te noho māia me te āwhina i a rātau ki te kaunake whakamua i to rātau ao. Ko te mea nui ka ako ēnei hōtaka i ngā tāngata whakamaru ki te whakahaumarua i a rātau mai i te whakarekereke ā-whare āmua. Ka tuku anō ngā hōtaka i ngā pārongo āmiki ki ngā tāngata whakamaru mō te

whakarekereke ā-whare, ōna pānga ki ngā whānau me ētahi pārongo anō mō ngā mahinga o te whakatau whakamarutanga.

Ka taea e ngā hōtaka motuhake mō ngā tamariki te āwhina i a rātau ki te whai mārama me te whakarite i te whakarekereke me ōna pānga ki a rātau me te whānau. Ahakoa kapi ana i ēnei hōtaka he take tino nui, i waihangahia kia pāhekoheko me te pārekareka kia pai ai ki nga tamariki te hōtaka.

He tino rerekē ngā hōtaka mō ngā tāngata whakamaru mai i ngā hōtaka me mātua tae atu te kaiurupare.

Mēnā e hiahia ngā tāngata whakamaru ki te haere ki tētahi hōtaka me kōrero rātau ki tō rātau rōia, kaimahi rānei i te Kōti Whānau. Ka whakaritea ka mātua whai wāhi te tangata whakamaru ki te hōtaka tūtata e wātea ana.

HE PĒHEA TE PĀNGA O NGĀ WHAKATAU WHAKAMARUTANGA KI NGĀ WHAKARITENGA MŌ TE TIAKI I NGĀ TAMARIKI

Ka tiakina ngā tamariki i raro i te 17 ngā tau e te whakatau whakamarutanga e noho ana me te kaitono i te nuinga o te wā. Nā ngā here whakapā-kore i roto i tētahi whakatau whakamarutanga, i te nuinga o te wā kāore e āhei te kaiurupare ki te kite i ngā tamariki.

Ko te tikanga o tēnei ka noho ngā tamariki me te kaitono i te nuinga o te wā, ā, ko ia kei te tiaki i a rātau ia rā i te nuinga o te wā. Ko te tikanga kāore e taea e te kaiurupare te whakapā atu ki a rātau mō te wā e mana ai te whakatau whakamarutanga.

Ka taea e te kaiurupare te whakapā atu ki ā rātau tamariki mēnā:

- ka whakaaehia te whakapā i raro i te **whakatau mātuatanga**, tētahi atu whakatau kōti rānei, i raro rānei i tētahi whakaaetanga mātuatanga ā-tuhi i waenga i te kaitono me te kaiurupare.
- ka whakaae te kaitono kia noho tahi rāua ko te kaiurupare me ngā tamariki, tērā rānei.

NGĀ WHAKATAU MĀTUATANGA I RARO I TE CARE OF CHILDREN ACT

Ka taea e te kaitono me te kaiurupare te tono ki te Kōti Whānau mō tētahi whakatau mātuatanga i raro i te Care of Children Act 2004. Ka taea e te whakatau mātuatanga te whakatau ki a wai te mana tiaki i ngā tamariki ia rā, ā, ko wai e āhei te whakapā ki a rātau.

Me whakaae te kaiwhakawā kei te haumarua ngā tamariki i te taha o te kaiurupare kia whakaaehia te whakapā. Tērā pea ka kī te kaiwhakawā ki te kaiurupare kia whakahaerehia ngā whakapānga me nga tamariki e tētahi atu pakeke.

Ki te whakaaehia e te kaiwhakawā kia whakahaerehia ngā whakapā, ka kī te whakatau mātuatanga mō āhea kite ai te kaiurupare i ana tamariki.

I te nuinga o te wā ka tonoa he whakatau mātuatanga i te wā o te tono whakatau whakamarutanga, engari rawa mēnā i waihangahia te whakatau whakamarutanga i te kōti toihara. I tērā āhuatanga, ka tonoa motuhake te kaitono, te kaiurupare rānei ki te Kōti Whānau.

Mō ētahi atu pārongo mō ngā whakatau mātuatanga, tirohia te pānui whakamārama **Whakatau Mātuatanga** (Kōti/ 005)

HE AHA NGĀ WHAKATAU RAWA?

Ka kī ngā whakatau rawa ko wai e āhei te noho i roto i tētahi whare, whare noho rānei, ā, ki a wai hoki ngā taonga ā-whare me ngā taputapu, hei tauira te pouaka whakaata me te tīwharawhara. Ko ngā taonga ā-whare e kapihia e te whakatau rawa ka rārangihia i roto i te whakatau. Ka tonu te kaitono ki te Kōti Whānau mō ngā whakatau rawa.

Ka waihangahia e te kaiwhakawā te whakatau rawa mēnā e hiahiatia e te kaitono, mō ngā tamariki rānei te painga.

Ko te tikanga ka tonoa ngā whakatau rawa i te wā tonu e tonoa te whakatau whakamarutanga, ā, ka taea te waihanga e te kaiwhakawā me te kore pānui, pānui atu rānei ki te kaiurupare. Mēnā ka waihangahia tētahi whakatau whakamarutanga i te kōti toihara, me tonu motuhake te tangata whakamaru mō tētahi whakatau rawa i roto i te Kōti Whānau.

Ngā whakatau mō te whakarite ko wai ka noho i roto i te whare

Ka tukua e tētahi **whakatau nōhanga** te tika ki te kaitono ki te noho i roto i tētahi whare, whare noho rānei e noho nei ia i tēnei wā. Ka aukatihia te kaiurupare e te whakatau te noho i reira mēnā kāore e whakaaehia e te kaitono.

E kī ana te **whakatau retihanga** kua kore te kaiurupare i te kainoho o tētahi whare e rīhi tahihia me te kaitono. Ka āhei te kaitono te noho haere tonu ki reira, ā, ka aukati te whakatau i te noho o te kaiurupare ki reira.

Mēnā he whakatau nōhanga, retihanga rānei tā te kaitono me whakawātea te kaiurupare i te whare e whakahuahia i runga i te whakatau. Ki te noho te kaiurupare i roto i te whare, ka taea e te Kōti ā-Rohe te tuku whakamana kia mauhere me te whakawātea i te kaiurupare e ngā Pirihimana. Ka taea anō te hāmene i te kaiurupare mō te kaihaumi. Ki te whakahārainā ia mō tēnei hara, ka taea te tuku i a ia ki te whare herehere mō ngā rā atu ki te toru marama.

Ngā rawa whakarite taonga ā-whare

Mēnā e hiahia ana te kaitono ki te noho tonu i roto i te whare, te whare noho rānei e noho ana ia me te kaiurupare, ka taea e ia te tonu mō tētahi **whakatau taonga ā-whare tāpiri** kia mau i a ia ngā taonga ā-whare i roto i te whare, whare noho rānei .

Ki te hiahia te kaitono ki te neke, ka taea e ia te tonu mō tētahi **whakatau taonga ā-whare** e taea e ia te heri i ngā taonga ā-whare, ētahi rānei, ki tō rātau kāinga hou.

Kāore he aha mēnā nā te kaiurupare, kaitono rānei ngā taonga ā-whare.

HE AHA TE WHAKATAU HAUMARU PIRIHIMANA?

Ka tukua tētahi whakatau haumaruru pirihimana (PSO) i ngā āhuatanga e whakapono ana ngā Pirihimana kua pā mai, kei pā mai rānei te whakarekerekere ā-whare.

Neke atu ki te rima rā te roa o te whakatau, engari i te nuinga o te wa he kotahi rā, rua rā rānei .

Ko te kaupapa o te PSO he tiaki i te tangata mōrearea (tangata whakamaru) mai i te whakarekerekere, Ka mana tonu te whakatau kia eke rawa te wā/rā i runga i te whakatau.

Kāore he hiahia kia whai whakaaetangā ngā Pirihimana mai i te tangata mōrearea ki te tuku i te whakatau.

HE AHA NGĀ PĀNGA O TE WHAKATAU?

Ina waihangahia tētahi PSO, me whakawātea te kaiurupare i te wāhi noho i te wā e mana ana te PSO, ahakoa nōna tonu te wāhi, e noho rānei ia i reira.

Kaua rawa te kaiurupare e patu, whakawehi, whakaataata, werowero rānei i te tangata whakamaru, te āki rānei i ētahi atu ki te mahi pēnei.

Kaua rawa te kaiurupare e whai, whakatū, whakapā atu rānei ki te tangata whakamaru mā tētahi āhuatanga, i tētahi wāhi, i te kāinga, mahi, tētahi atu wāhi rānei e haerehia ana e te tangata whakamaru.

Me tuku e te kaiurupare ana pū katoa me ana pū raihana ki ngā Pirihimana mō te wa o te PSO.

Ka tiaki anō te PSO i ngā tamariki e noho ana me te tangata mōrearea, ā, ka whakarewahia ngā whakaritenga o ngā whakatau mātuatanga, whakaaetanga e tuku whai wāhitanga, tiaki rānei ki te kaiurupare.

Ka purihia pea e ngā Pirihimana te kaiurupare mō ngā haora atu ki te rua haora me te tuku i te PSO.

Kāore he tika ki te pīra.

KA AHA MĒNĀ KA WĀHIA E TĒTAHI TE WHAKATAU HAUMARUTANGA PIRIHIMANA?

Ki te wāhina e te kaiurupare te PSO, ka taea e ngā Pirihimana te hāmene i te kaiurupare me te whakauru ki mua o te kōti toihara.

Ka tukuna pea e te kōti tētahi whakamana mauhere i te kaiurupare mēnā e hiahiatia kia heria mai ia ki mua i te kōti.

Ko tā te kōti pea he:

- tuku i te kaiurupare me te kore whakatau atu anō
- tohutohu i ngā Pirihimana ki te tuku whakatau PSO anō
- tuku i tētahi whakatau whakamarutanga rangitahi (mēnā kāore te tangata mōrearea e whakahē)

Kāore e hiahiatia e te kōti tētahi tono mai i tētahi atu ki te tuku whakatau whakamarutanga rangitahi.

Ko ētahi atu hara, pēnei i ngā tūkinotanga, tūkinō rawa rānei ka whakatewhatewhahia me te tuku hāmene ina nui ai ngā taunakitanga.

ME PĒHEA TE TIKI PĀRONGO ME TE TOHUTOHU ATU ANŌ

NGA PĀRONGO MAI I TE KŌTI WHĀNAU

Mō ētahi atu pārongo mō ngā whakatau whakamarutanga me ngā hātepe a te Kōti Whānau tirohia i runga ipurangi i te paetukutuku a te Kōti Whanau i www.justice.govt.nz/family whakapā atu rānei ki te Kōti Whānau tūtata mai.

NGĀ PĀRONGO MAI I NGĀ PIRIHIMANA

Kei te paetukutuku a ngā Pirihimana ngā pārongo me ngā whakataou whakamarutanga i www.police.govt.nz

TE TIKI TOHUTOHU TURE MAI I TĒTAHI RŌIA

Ka taea e tētahi rōia te āwhina i ngā tāngata ki te whai mārama ki te tikanga o tētahi whakataou whakamarutanga, ā, me pēhea te tiki i roto i Kōti Whānau.

Ka kitea he rōia mā te titiro i raro i "Lawyers", "Barristers & Solicitors" rānei i roto i nga Whārangi Kōwhai, i www.familylaw.org.nz Ka taea anō e te Kōti Whānau, District Law Society, Pokapū Ture Hapori rānei te tuku tūtohutanga.

TE TIKI ĀWHINA TURE

Ka āhei pea te hunga e hiahia rōia ki te āwhina ture engari kāore e whai moni ki te utu. I konei ka utua e te kāwanatanga ētahi, te katoa rānei o ngā pire rōia. I ētahi wā me whakahoki e koe ētahi, te katoa rānei o ngā utu.

E wātea ana ngā pārongo mō ngā ture āwhina mai i tētahi rōia, te Legal Services Agency (tirohia ngā whārangi kāwanatanga kikorangi i te wāhanga o mua o te puka waea), tā rātau paetukutuku rānei i www.lsa.govt.nz

KĀORE I TE PAI!

Mō ētahi atu pārongo mō ngā whakarekerekere ā-whare, he aha, ki hea hoki tiki āwhina ai tirohia www.areyouok.org.nz waea koreutu ranei ki **0800 456 450**.

Kōti/001

Pipiri 2010