

Learning objectives:

By the end of this unit you will be able to:

- understand MSD's search warrant responsibilities

Relevance of learning to your role:

- there will be occasions when an investigation requires a search warrant to be considered and obtained

Behavioural competencies for success:

- critical thinking
- analytical – attention to detail
- integrity
- professionalism
- relationship management

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## Introduction

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Some complex fraud cases will require the execution of a search warrant to secure evidence. Generally, this will be frauds that are serious in nature by either the type or the length of offending.

The legislation administered by the Ministry of Social Development (MSD); the Social Security Act 2018 and the Housing Restructuring and Tenancy Matters Act 1992 do not contain provisions for an officer to apply for a search warrant.

MSD also has no statutory power under the Search and Surveillance Act 2012 to search a client's home however we can assist NZ Police to execute a search warrant regarding a benefit/housing fraud matter.

Investigations requiring a search warrant must be given careful consideration and must not be undertaken unless approval has first been sought from the Manager FIS and National Manager, Fraud Services prior to approaching the Police.

## Decision Making

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Consideration needs to be given during each step of your investigation as to the appropriateness of executing a search warrant. There will be certain cases that will require you to consider the use of a search warrant at an early phase of your investigation; other cases may present an opportunity once your investigation is already in progress.

When making decisions about your course of action you will need to think this through clearly and logically exploring all the options available to you. You MUST document your thinking in IMS which could include:

- Identifying the problem
- Planning your investigation
- Sourcing and gathering evidence
- Generating ideas and logical alternatives
- Reviewing your plan when necessary
- Reaching a sound conclusion

There are also other influences that must be considered when making a decision to execute a search warrant. You will need to consider:

- Whether you have met the legal requirements for a search warrant.

- The interaction and Co-operation with Police that will be required to apply for and execute the search warrant
- Other MSD risk that could be associated with the execution of a search warrant
- Evidential need – timeliness of the application.

## Legal requirements

The legislation that covers search warrants is the [Search and Surveillance Act 2012](#).

## Co-operation with Police

MSD has investigative and prosecution functions but no statutory search and production powers under the Search and Surveillance Act 2012, so we have to work closely with Police who have powers to apply for and execute search warrants. Police are also able to seize evidential material, hold it and dispose of it.

When working with Police, we work co-operatively to ensure all relevant information held by MSD is provided in a timely and appropriate manner.

Guidelines for working with Police are available on [FIS Doogle page](#)

## Ministry Risk

The decision to execute a search warrant requires a risk assessment. You will also need to consider other factors such as the age of a client, the seriousness of the offending and the wellness of the client.

The decision to apply for and execute a search warrant must be made in consultation with the FIS Manager or Fraud Intervention Specialist. Search Warrant approvals must be authorised by the FIS Manager and approved by the National Manager Fraud Services.

## Making a request for a search warrant

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Requests by MSD for the Police to apply for and execute a search warrant or production order on our behalf, must be made to the Police in the geographical area where the intended search warrant is to be executed or in the case of multiple warrants, the area from where the search coordination is to be managed. A meeting should be arranged with the Police to discuss the following:

- the reasons for the request for Police assistance
- operational implications arising from the request



- using MSD staff as much as possible to assist with the search, rather than Police having to supply their own staff for this function
- using a Police Electronic Crime Liaison Officer (ECLO) to assist in the search if it is likely that electronic material will be sought in the warrant
- costs that MSD may incur in relation to:
  - Police resources to be used
  - photographing evidential material, copying documents or creating forensic copies of electronic data

Certain criteria must be met if the Police are to approve our request for assistance. Before making a decision on the request, the Police must be satisfied the following criteria are met:

- the application is justified and meets all legislative requirements
- the request and the making of an application is in accordance with any agreement or other protocol that may exist between MSD and Police
- the assessed risk of execution can be safely managed
- the workload involved with the application (making the application, the number of warrants or orders and their execution, seizure, receipt of produced documents, storage, management; including attendance at Court and disposal of seized or produced items) is manageable with other law enforcement commitments
- operational priorities impacting on Police at the time are not compromised

### **Decision and timeframes for reply**

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The decision whether the Police provisionally approve, delay or decline the request will be given to MSD in writing as soon as practicable and should not exceed 14 days from receipt of our initial request.

Once the decision is provisionally approved the local Police will contact the Officer in Charge of the CIB area responsible for managing the Search Warrant who will assign suitable officer(s) to:

- be assigned the request file
- conduct the planning and risk assessment
- apply for a search warrant or production order
- carry out the execution and reporting of the search warrant or production order
- take responsibility for the seizure, production, storage, custody and disposal of exhibits (evidential material)



## Information for Police

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Requests for Police to apply for and execute search warrants on MSD's behalf must be emailed with the following documents attached:

Draft MSD affidavit that includes information under the following headings:

- the suspect(s) identity (including date of birth if known)
- the alleged offending (including statutory references for each offence)
- and relevant information to support the allegation

In relation to search warrants you will need to include:

- the place, vehicle, thing or facility to be searched and its location
- a description of evidential material being searched for and why it is evidential material in relation to the alleged offending
- facts or information indicating that the evidential material will be found in the proposed search

Other additional information to include in relation to both types of proposed applications:

- any information relevant to whether any material to be searched, seized or produced could be protected by any of the privileges recognised by s136 of the Act
- all other relevant information, whether helpful or not

A covering report will include information about:

- contact details of the agency and agency's investigator
- the facts established by the agency's investigation to date, without reference to any suspicions or beliefs held by the investigator

In relation to search warrants include;

- profile of target address,
- vehicles,
- or things to be searched
- including occupiers or other persons who may be present

In relation to production orders include;

- profile of the person,
- body corporate, or unincorporated body

MSD's pre-search risk assessment of:

- **threat** – includes intent, capability, opportunity and the physical environment
- **exposure** – includes safety of MSD staff, Police and the public and security of the operation
- **necessity** – whether to act now, later or not at all

Finally include any other documents containing information that may assist the application and execution phases.

### **Before the search warrant is executed**

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A combined briefing should be held between MSD staff and Police prior to the execution of the search warrant.

You should agree a time and date to execute the search warrant.

### **At execution of the search warrant**

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The Police will call upon MSD staff to assist with undertaking the search. As a result, MSD staff are allowed to:

- enter and search the place, vehicle or thing specified in the warrant
- locate, identify and seize specified evidential material.

The full list of powers of persons called to assist in a search warrant with Police is contained in [Section 113](#) of the Search and Surveillance Act 2012.

While under direction of the assigned officer exercising the search power, the Police may use force that is reasonable in the circumstances to enter and break open or access any area.

**Note:** The assigned Police Officer exercising the power must accompany any MSD staff on the first occasion when we enter the place, vehicle or other thing to be searched and provide supervision as is reasonable in the circumstances.



## Process for exhibits at the conclusion of the search

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The Police will:

- Secure and retain custody of seized or produced evidential material (exhibits).
- Provide notice to owners and others in relation to things seized and original copy of property record sheet
- Review the evidential material seized or produced and supply copies of documents and photographs of evidential material that will enable the agency to continue their investigation, decide the outcome and if required, prepare their prosecution case
- Hold all original evidential material including forensic copies of electronic data
- Organise expert examination of retained evidential material on behalf of the agency if required, e.g.:
  - document examination for handwriting etc
  - fingerprint examination
  - electronic searches and forensic copying data
- Ensure inventory of items, receipts, storage, chain of custody and disposal are fully documented.
- Communicate with and consider advice from the Ministry's investigator if any application for access to or release of seized or produced thing(s) is made. The Police are responsible for dealing with the application and corresponding with the applicant.

**Note:** The Police Exhibits Officer will be required as a witness for any future MSD trial. The Police officer in charge of the search, and other officers who took part, may also be required as witnesses, depending on what happened during the execution of the warrant, and what is in dispute at the trial.

### If any electronic media is to be seized

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The Electronic Crime Liaison Officer (ECLO) may if possible, provide an onsite preview (to view and determine what is to be copied into a master and working copy) with the investigator and preserve electronic evidence.

The ECLO will copy only data believed to be evidential material of the suspected offence for which the warrant was issued:

- at the scene, or
- at station, or
- seize (under search warrant) the electronic device for submitting to the Police Electronic Crime Lab to have electronic data copied

If electronic items are not or cannot be previewed they will be sent to the Police Electronic Crime Lab for analysis. Once the content has been obtained the Police will:

- Invite the investigator to preview in a private viewing room at the Electronic Crime Lab to determine what is evidential material
- Determine what is to be copied for MSD (note, only data believed to be evidential material of the suspected offence for which the warrant or order was issued is to be copied)

If we want to obtain working copies of anything from seized electronic data we must make a request to the Police Exhibits Officer.

## **Criminal disclosure and requests for information**

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### **Responsibility for criminal disclosure**

For criminal proceedings brought by MSD, the Investigator is responsible for all criminal disclosure under the Criminal Disclosure Act 2008.

### **Requests for official and personal information**

Responding to requests for official information under the Official Information Act 1982 and personal information under the Privacy Act 1993 is the responsibility of:

**Police** when the requested information relates to:

An application for a search warrant made by Police

- The briefing and execution of the search warrant or production order conducted by Police
- The debrief of the Police execution of the search warrant or production order
- The security and custody of seized or produced evidential material.

**MSD** when the requested information relates to:

- Our investigation
- Our prosecution

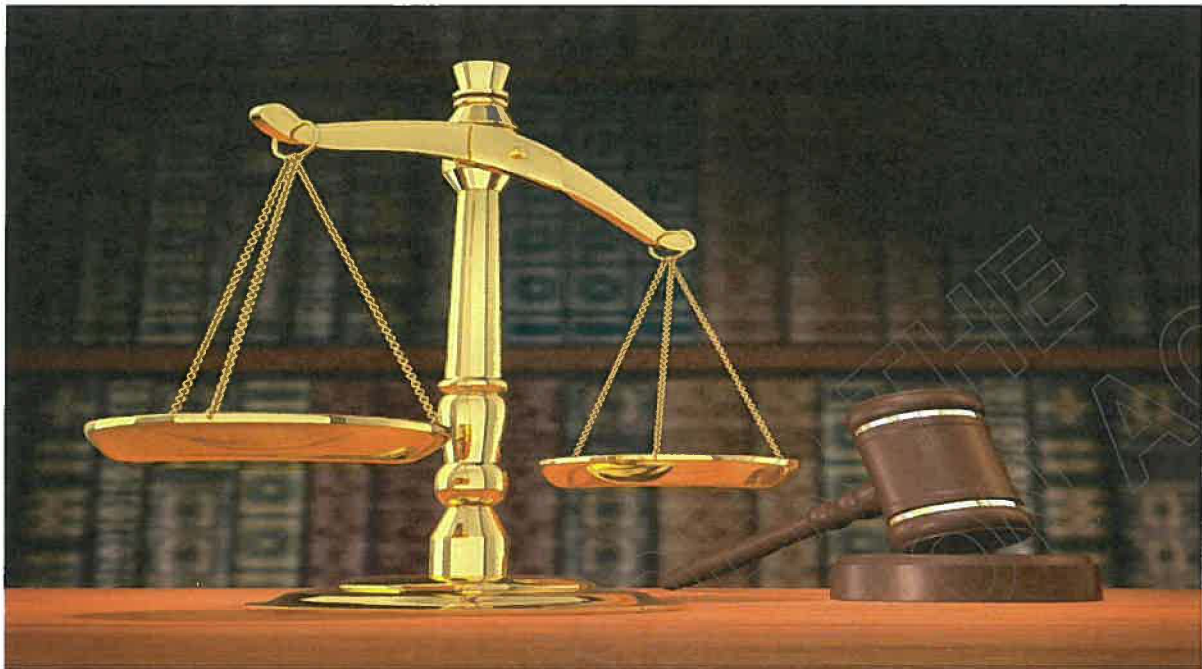


**Now you have completed this module, an assessment of your knowledge is required.**

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For course sign off please complete the following questions,

1. Explain when you would consider a search warrant for a benefit/housing fraud case, why?
2. What steps would you need to consider from making a decision to undertake a search warrant to execution of the warrant?



## Sentencing

Learning objectives:

By the end of this unit you will be:

- able to discuss the types of sentencing available
- aware of the principles and purposes of sentencing and how they may affect benefit fraud cases.

Relevance of learning to your role:

- any benefit fraud cases that you successfully prosecute will be sentenced by the courts in accordance with the law.

Behavioural competencies for success:

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- Review, learning from experience



## Introduction

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Sentencing occurs after a defendant has either admitted the charges filed against them or has been found guilty at a hearing of those charges.

A judge may deal with sentencing immediately after conviction or defer sentencing and request either a pre-sentence report and or submissions from the defence counsel or prosecution counsel. When requesting a pre-sentence report the judge may indicate the type of sentence the probation officer should address.

The pre-sentence report will be completed by a community probation officer. The report should cover the defendants background, what caused the offending, and recommendations on the appropriate sentence together with recommended conditions for the possible types of sentence that might be imposed.

At a later date when the reports have been completed, the defendant returns to Court for the judge to impose sentence. There are a wide variety of sentences available which are discussed below.

Under the [Sentencing Act 2002](#) there are purposes and principles which guide judges when imposing a sentence.

The purposes of the Sentencing Act include but are not limited to holding the offender accountable for harm they may have caused to the victim, denouncing the conduct of an offender, deterring the offender or others from committing the same or similar offending, protecting the public and assisting the offender into rehabilitation.

Further principles used must take in to account the gravity, the seriousness of the offence in comparison with other types of offences and consider the effect of the offence and sentence has on the offender, the victim the offender's family, whanau and community.

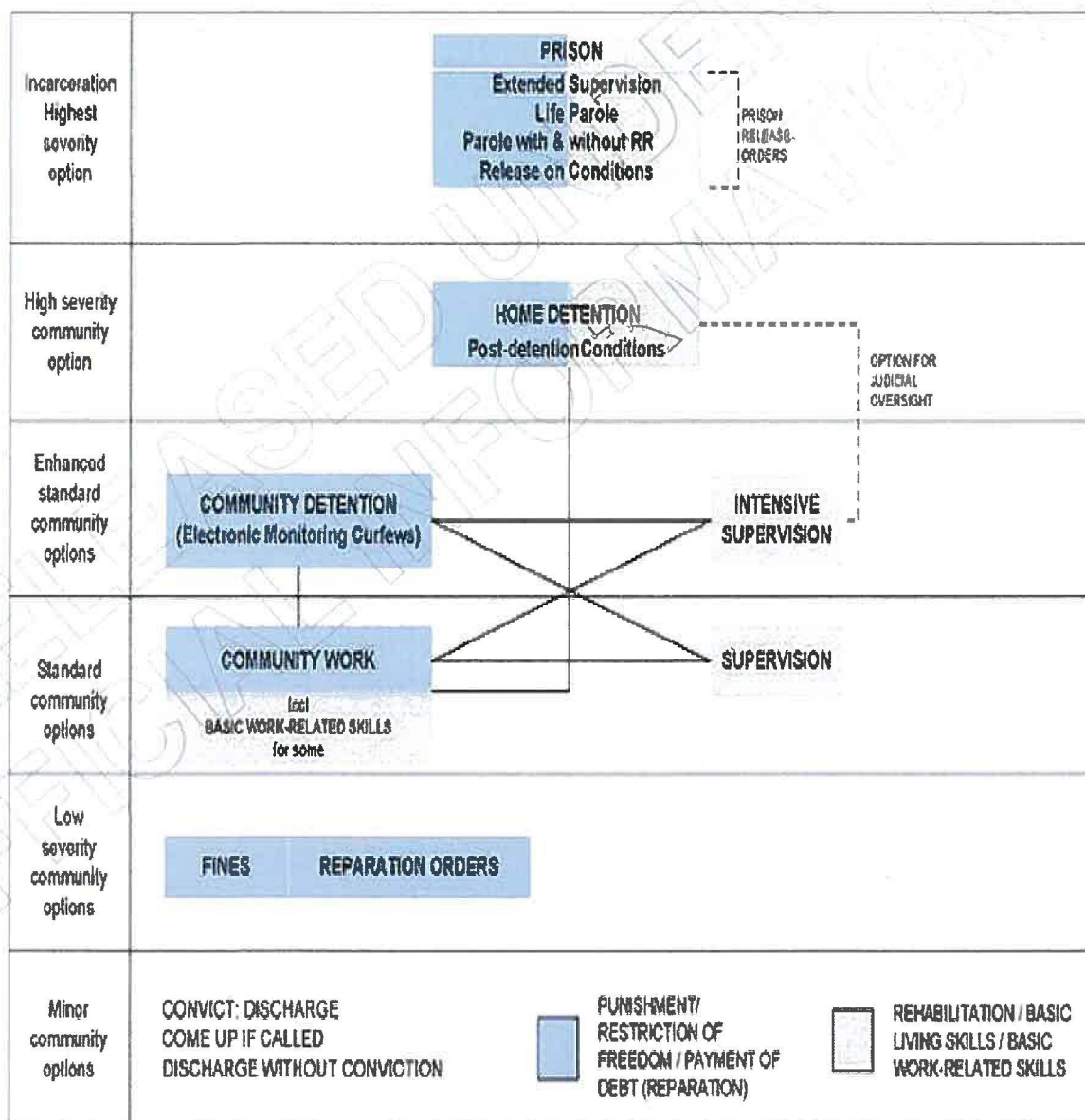
The statutory guidelines set out in the Social Security Act 2018 allow for a sentence of up to a maximum 12 months imprisonment and/or a fine of up to \$5000 for each benefit fraud charge under the Act. The Crimes Act allows for a range of sentences from maximums of 3 months to 10 years imprisonment depending on the nature of the offending.

## Types of Sentences Available

There is a wide variety of sentences available. A judge can also impose more than one type of sentence at a time.

The hierarchy of sentences demonstrates the requirement that the court must impose the least restrictive outcome that is appropriate in the circumstances.

### SENTENCING HIERARCHY





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| <b>Diversion</b>  | While this is an option for ordinary Police prosecutions, it is not an option for benefit fraud matters. There may be ways to achieve the same result. Generally the types of cases that should be given this type of consideration should have attracted an imposition of a penalty under Section 354 of the SSA 2018, and have not been referred to the District Court in the first instance.  |
| <b>Discharge Without Conviction</b>   | The Sentencing Act 2002 (section 106) allows for discharge without conviction. This has the effect that a person has an acquittal despite guilt being proven or admitted. If this sentence is used, it is possible for the Court to impose Court costs and/or reparation.  |
| <b>Conviction and Discharge</b>   | The effect of this sentence is that a person is convicted but that there is no other penalty. this is likely to be rare (section 108 Sentencing Act 2002).   |
| <b>Order to come up for sentence if called upon – commonly called a deferred sentence</b> | If a court does not wish to impose a sentence but does want to give the offender an incentive to behave, then this option is available. This is an order to the offender to return to be sentenced if called upon within a specified period which can be up to 1 year. It is also possible for the Court to impose Court costs and/or reparation. If the offender does not commit another offence and pays the reparation and/or costs, no further penalties are applied but if not, the offender can be re-sentenced on the charges for which this penalty was imposed. (Section 110 Sentencing Act 2002). To be re-sentenced an application needs to be made to the Court within the period specified. |
| <b>Fine</b>   | For benefit fraud cases, fines of up to \$5000 on each charge can be imposed. The law also provides for installment payments and further consequences, should the fines not be paid.   |
| <b>Reparation</b>   | This is a court directed method of payment by an offender where there has been property loss which almost invariably happens in benefit fraud matters. The court collects the reparation from the offender and pays it to the victim. Generally, MSD does not  |

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|                              | <p>seek reparation because they have statutory powers within the Act to effectively recover overpayments direct from the client.</p> <p>If imposed, the amount of reparation should be realistic and generally not require a long period to repay. As a result, reparation may not be for the full amount of the overpayment. If reparation has been ordered, this does not prevent MSD from recovering any overpaid benefit over and above the reparation ordered. This is an area where a case by case approach should be discussed with your Legal Services solicitor should reparation be considered.</p>   |
| <b>Supervision</b>           | <p>Supervision is a community based sentence which requires offenders to address the cause of their offending. Supervision can be imposed for not less than 6 months and not more than 1 year. Once sentenced to Supervision the offender would need to comply with conditions imposed such as restrictions on where they reside, participation in treatment or attendance in rehabilitation programmes.</p>  |
| <b>Intensive Supervision</b> | <p>Intensive Supervision is a community based sentence which requires offenders to address the cause of their offending. Intensive Supervision can be imposed for not less than 6 months and not more than 2 years.</p>   |
| <b>Community Work</b>        | <p>Community Work is a community based sentence where the offender will be required to do unpaid work in the community. A judge can impose Community Work sentences between 40 and 400 hours.</p> <p>Community Work can be work done with a group supervised by the Community Probation Service or can be on an individual basis through placement with an agency. The offender may also do a combination of group or individual Community Service.</p> <p>Offenders who do group Community Work are supervised by the Community Probation Service and a Work Party Supervisor will organise work projects. This sentence type was introduced by the Sentencing</p> |

|                            |  |
|----------------------------|--|
|                            | Act 2002 and incorporates the former sentences of Community Service and Periodic Detention.  |
| <b>Community Detention</b> | Community detention again is a community based sentence but places a curfew on the offender. The offender is electronically monitored. This sentence may be imposed for a maximum period of 6 months. The curfew periods may not exceed 84 hours per week.   |
| <b>Home Detention</b>      | Home detention is a community-based sentence that requires the offender to not leave their home except for specified emergencies or with the consent of their probation officer. The offender is electronically monitored. Home detention can be imposed for a maximum of 12 months. In the last quarter of the sentence their probation officer may allow them to leave the home for 4 hours a day.   |
| <b>Imprisonment</b>        | <p>If under any enactment an offender is liable to imprisonment the court may impose imprisonment for the maximum term provided for the particular offence or any lesser term. Any terms of imprisonment are usually imposed concurrently rather than cumulatively i.e. if there are 6 willful omission charges under section 290, Social Security Act for which the offender received 6 months imprisonment on each charge, the total sentence is 6 months rather than 3 years if the sentence is concurrent. Concurrent sentences of imprisonment are generally appropriate if the offences for which an offender is being sentenced are of a similar kind and are a connected series of offences.</p> <p>A person who is sentenced to more than 2 years imprisonment can be paroled after service of one third of their sentence unless the Court has imposed a minimum non-parole period (section 84 of the Parole Act 2002. For those sentenced to up to 2 years (most usual for benefit fraud cases) they must be released after serving half their sentence (section 86 Parole Act 2002).</p> |



## Sentencing Principles

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As well as the penalty provisions of the statutes involved and any guidance from sentencing precedents, the sentencing judge will have regard to the purposes and principles of sentencing in order to decide what social factors should influence the choice of a particular penalty. The purposes and principles of sentencing are detailed in sections 7 & 8 of the Sentencing Act 2002. Each of the factors that are to be considered are weighed in the balance before the decision to impose a particular sentence.

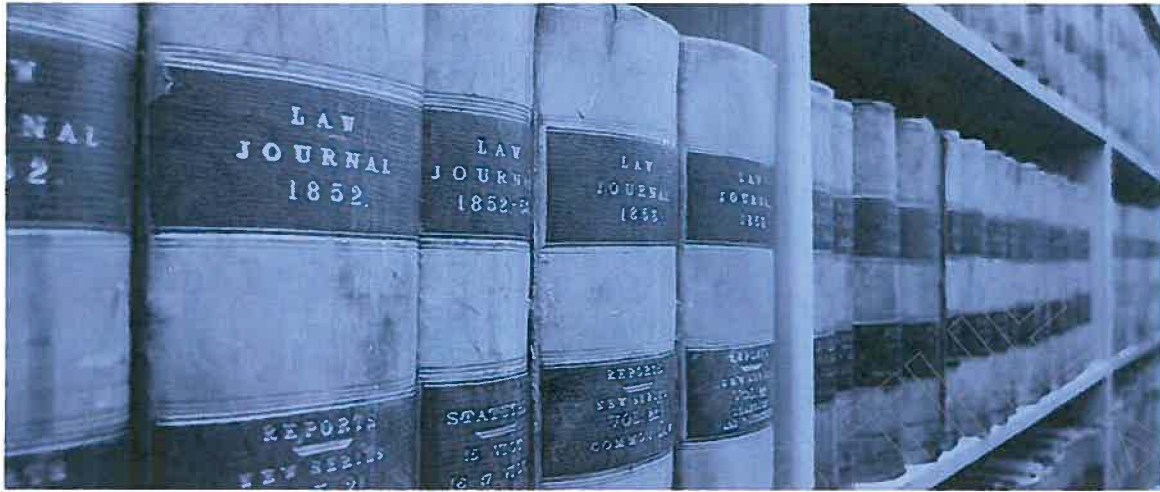
Click link to read in full - [Section 7](#) & [Section 8](#)

**Now you have completed this module, an assessment of your knowledge is required.**

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For course sign off please complete the following questions,

1. Choose any two of the purposes listed in Section 7 of the Sentencing Act 2002 and in your own words explain why they would be important for the sentencing of a benefit fraud matter?
2. Name any two things the courts must take in to account according to Section 8 of the Sentencing Act 2002 and in your own words explain why they may be important for the sentencing of a benefit fraud matter?



## **The Acts Administered by MSD**

Learning objectives:

By the end of this unit you will be able to:

- Have an understanding of the different Acts we work with
- Be able to explain the difference between legislation and policy

Relevance of learning to your role:

- We work within legislation in our role as Investigators, this will help you to follow correct legislation.
- We also have Policy and Practices that enhance the legislation we work within, this module will ensure you know where to find this information

Behavioural competencies for success

- Ability to interpret and apply legislation
- Accountability/Responsibility
- Sound decision making

## Acts We Work Within

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MSD is charged with administering funds under certain Acts and are also required to operate with other Acts. For example, we have administrative functions under; the Social Security Act, the Housing Restructuring and Tenancy Matters Act and the Education Act, however we must also abide by other Acts such as the Privacy Act and the Public Finance Act. Fraud staff will work extensively within the following Acts:

- Social Security Act 2018
- Education Act 1989
- Housing Restructuring and Tenancy Matters Act 1992
- Crimes Act 1961
- Summary Proceedings Act 1957
- Evidence Act 2006
- Privacy Act 1993

## Our Authority and Delegation

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Under the **Social Security Act** MSD administers the benefit system, acting under “the general direction and control of the Minister” (Social Development and Employment) - [Section 7](#) of the Act. MSD’s powers, functions and discretions can be delegated under the Act.

The Minister may direct MSD in writing to comply with general or special directions - such as the Ministerial Directive. This has the effect of reducing the extent of discretion that may otherwise be available under the Act.

[Part 25](#) of the **Education Act** specifies the administration of the Student Allowance scheme. The Minister of the Crown refers the responsibility to the Ministry and the Chief Executive of such Ministry to be responsible for the administration of that part of the Education Act.

[Part 9](#) of the **Housing, Restructuring and Tenancy Matters Act** specifies the interpretation of **Ministry** as meaning the department for the time being responsible for the administration of the Social Security Act 2018.



This Part also enables the assessment of need and eligibility for social housing, and eligibility for an income-related rent, and associated functions (such as providing advice, managing applications for social housing, carrying out investigations, and referring and allocating prospective tenants and tenants to social housing providers), to be performed by 1 or more government agencies that are independent of the agency that provides state housing.

From 14 April 2014, the Agency is MSD.

## **Policy and Legislation**

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MSD also operates by way of reference to internal policy, which contains departmental instructions and guidelines as to how the Acts should be interpreted/administered.

Sometimes, it may seem as though the policy and the Act can disagree - for example the grant of Special Needs Grant and the exercise of discretion in their grant. The Act is always the more authoritative, but because the Act is couched in more general terms, the manuals are more often helpful in particular fact situations. If there is direct conflict, the Act should be followed rather than policy.

[MAP](#)

[LEGISLATION](#)

[DOOGLE](#)

## **Test Your Knowledge**

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For course sign off please complete the following questions;

1. Find the legislation for a person applying for New Zealand Superannuation, being ordinarily resident in New Zealand
2. Find the policy for ordinarily resident in NZ.
3. What is the difference?



## Types of Evidence

Learning objectives:

By the end of this unit you will be able to:

- Understand the burden and standard of proof needed for a prosecution
- Know who can be a witness for MSD

Relevance of learning to your role:

- If you have a prosecution case that is proceeding to a trial you will need to understand the types of evidence and who can be called as a witness.

Behavioural competencies for success:

- Critical thinking
- Analytical – attention to detail
- Integrity
- Accountable and responsible
- Decisive – sound judgment
- Professional

## Introduction

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When a person pleads not guilty, your legal representative will advise you on what needs to be completed.

The important things to consider are:

- the undisputed facts; and
- your version of the disputed facts

This will allow you to create a logical, cohesive position for the hearing. You are creating an explanation, based on your evidence of 'what happened' for the Judge. It is MSD who has the 'burden of proof'. The prosecution must prove their case beyond reasonable doubt to secure conviction. The defence does not have to prove innocence, only to establish a reasonable doubt, for the defendant to be acquitted.

## Burden of proof

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It is up to the prosecution to prove the case against the defendant. It is for this reason that the defendant may choose not to give evidence in any trial – it is not up to the defendant to answer a case, but up to the prosecution to prove it to the required standard.

The prosecution must bring evidence which is legally admissible and sufficient to prove the ingredients of the charge, beyond a reasonable doubt.

This may be:

- Spoken evidence, or
- Documentary evidence.

## Standard of proof

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The accused is innocent until proven guilty. It is up to the prosecution to meet the criminal standard of proof – that is, prove the case against the defendant 'beyond reasonable doubt'. If proof to the criminal standard is achieved, the presumption of innocence is overturned.

The standard required has been stated as follows:

"It need not reach certainty, but it must carry a high degree of probability. Proof beyond reasonable doubt does not mean proof



beyond the shadow of a doubt. The law would fail to protect the community if it admitted fanciful possibilities to deflect the course of justice. If the evidence is so strong against a man as to leave only a remote possibility in his favour, which can be dismissed with the sentence: '...of course it is possible but not in the least probable' the case is provided beyond reasonable doubt, but nothing short of that will suffice."

*Miller v Minister of Pensions*  
[1947] 2 ALL ER 372

## Witnesses

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In order to call a witness to give evidence for the prosecution, the witness must be both **eligible** and **compellable**. A witness cannot be made to give evidence that is **privileged**.

An eligible witness is anyone apart from the Judge, a juror, or one of the lawyers.

Compellable witnesses are those who are able to be summonsed to give evidence. There are few who are not compellable, but the important exceptions are listed below.

### The defendant

The defendant is not able to be summoned by the prosecution but may choose to give evidence themselves.

If they give evidence, they're not then allowed to refuse to answer questions on cross-examination even if the answer will incriminate them.

### Bank officers

Bank officers are not compellable to produce banking records if the records can be produced using the business records procedure under the Evidence Act.

Only if there is a Court Order would a bank officer be needed to give evidence. This is a concession for the banking industry to save the time of bankers and to protect them from the inconvenience of unnecessarily appearing in court. They have a limited compellability.

Some witnesses are likely to hold information that is privileged. This is discussed below.

### **Solicitor- client privilege**

If there is any communication between client and solicitor, then that communication is privileged. Any correspondence or similar material between solicitor and client cannot be used as evidence against a defendant.

The defendant can waive the privilege if they disclose the communication or make the communication an issue during the trial.

### **Other relationships**

Communications between the defendant and others with whom he has a special relationship may also be privileged – priest or pastor, doctor, psychologist and others. While these people can be summonsed, they cannot give privileged evidence unless the privilege is waived by the defendant. Please check with your Legal Services Solicitor if there is any concern a witness' evidence might be privileged.

### **Exhibits**

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Every exhibit must meet three basic requirements before it can be admitted in evidence. These are:

**1. The witness must have knowledge:**

The witness needs to be able to say what the document is, be able to explain it, and answer questions about it. For example, a finance application must be produced by someone who works for that finance company.

**2. The exhibit must be relevant:**

"Relevant" means it helps prove or disprove anything of consequence to the case.

**3. The exhibit must be authenticated:**

Authentication involves establishing that the exhibit is, in fact, what it purports to be, for example, the benefit review form must be the actual form, and not a copy. It must also be proved (or admitted) that the defendant was the person who signed the document.

**Now you have completed this module, an assessment of your knowledge is required.**

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For course sign off please complete the following questions,

1. What must you do to ensure an exhibit can be used in Court?
2. Explain what witnesses you would not use in Court for your case. Why?
3. Can the defendant's wife/spouse give evidence for the prosecution case? Explain why?



# Beth's Story

**Beth** – read the following out loud:

"My name is Beth. I am 45 years old. I was married to Danny for 20 years. We had 3 children. Danny was a wonderful husband and a good provider. Danny died two years ago from lung cancer."

"Six months after Danny's death I met Shane. Shane was funny, caring, compassionate and romantic. I introduced him to my children. They all loved him. My friends thought I was lucky to have found someone who was so charming."

"Before we got married, I sold my home. We planned to live in Shane's flat until we could find a place of our own. Once I moved in, we never went to look for another place."

**To my sister:** 'Shane isn't the same as he was when we first got together. He yells at me and the kids all the time and he seems really angry about being made redundant.'

**Wait for response**

**To my church pastor:** 'Shane gets really angry and frustrated at the kids and yells at them for making too much mess.'

**Wait for response**

**To my landlord:** 'I'm sorry about the damage to the flat and being late with the rent. Things have been a bit tough with Shane being laid off.'

**Wait for response**

**To my Case Manager:** 'We are really struggling to make ends meet each week and we don't seem to have enough money for food let alone all our bills!'

**Wait for response**

**To my bank manager:** 'I'd like to talk about opening a savings account for myself.'

**Wait for response**

**To my health practitioner:** 'I've been feeling really tired and exhausted all day and I'm having trouble sleeping at night. I'm worried about the kids too; they seem to be getting sick more often this winter.'

**Wait for response**

## Beth's Story

**Sister responds:** 'You're so lucky to have Shane; he's worked hard providing for you and the kids. Give him a break! He's just lost his job! Any man would be angry about that!'

**After speaking, drop ribbon and walk away**

**Pastor responds:** 'I've explained to you that second marriages are tough, Shane is probably finding it hard to adjust to being a stepfather. You need to let him father those children the best way he can. Those children must be really happy to have a male role model around the house to fill the gap since Danny passed.'

**After speaking, drop ribbon and walk away**

**Landlord responds:** 'Your late rent is not the only thing I've come to talk to you about. I've received complaints from the neighbours about loud arguing from your place last night and on Saturday. If you two can't keep the noise down, I may need to ask you to move out. And that hole in the wall will get fixed tomorrow and I will send you the bill.'

**After speaking, drop ribbon and walk away**

**Banker responds:** 'Your husband is a responsible man and being the main bread winner, he has the right to be in charge of your finances. Having joint accounts means it will be easier to manage your budget. Have you told him you want a savings account?'

**After speaking, drop ribbon and walk away**

**Case Manager responds:** 'Well I've just done a breakdown of your benefit and after paying your rent, power and food, you are still left with \$168 per week for other bills and that's after I included money for food. So you should have just enough money each week to cover your expenses without coming in for a food grant all the time. You may need a referral to a budget adviser if you can't keep track of your money.'

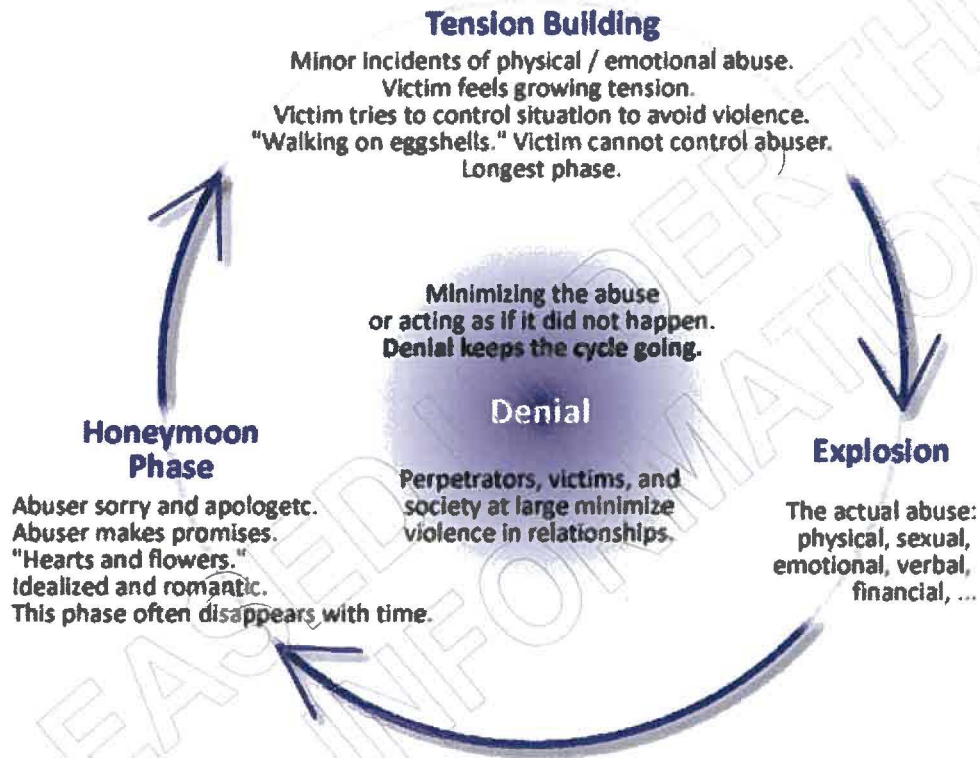
**After speaking, drop ribbon and walk away**

**Health practitioner responds:** 'Well, you don't appear to have anything wrong with you, your temperature is normal and your ears and throat are clear. Perhaps we should put you on mild sedative to help you sleep at night.'

**After speaking, drop ribbon and walk away**

# The Cycle of Violence

The Cycle of Violence depicts a pattern often experienced in abusive relationships. The three phases repeat over and over. Domestic violence is a pattern of abuse in an intimate relationship that escalates over time.



The cycle of violence is intergenerational. It not only repeats itself in an abusive relationship, it also repeats itself by emerging later in the relationships of people who experienced and witnessed violence in the home as they grew up.