



Do protection orders make PNG women safer?

By Judy Putt and Lindy Kanan
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The experiences of domestic and family violence survivors are crucial to assessing whether there have been improvements in their safety as a result of reforms. We recently completed a [research project](#) that examined the impact of family protection orders (FPOs) introduced in Papua New Guinea (PNG) in 2014 following the passing of the *Family Protection Act* 2013.

Similar to restraining or protection orders found across the world, FPOs are a civil remedy, issued by courts with the intention of protecting a person from domestic violence by stipulating conditions that the respondent should follow. There are two types of orders available: interim protection orders (IPOs), which last for 30 days, and protection orders (POs), which can last for up to two years. Only if a condition is breached, can the respondent be arrested and charged with an offence.

Given that our [earlier research](#) shows an upward trend in uptake and community awareness of IPOs, it was timely to investigate the impact of the orders. In this blog, we focus on what we learnt from interviews with 114 women and 4 men who had applied, or attempted to apply, for an IPO. The interviews took place in seven locations between November 2019 and August 2020 and were conducted by local independent researchers and with the help of specialist domestic violence services, [Femili PNG](#), [Voice for Change](#) and [FHI360](#). Due to a constellation of factors we ended up with two samples, with just under half (n=57) being followed up for two months after they applied for an IPO and the remainder (n=61) having applied for an IPO in the previous year.

More people are becoming aware of FPOs, but among those that do know of them, there is a common perception that only women and children can apply for them. This is not the case. However, available evidence indicates that the overwhelming majority of victims of domestic violence are women. It is not surprising therefore that most IPO applicants are women. Of the 118 applicants we interviewed, 97% were women, the average age was 35 years, 41% lived in a village, and 90% had children at home. The majority said they had the financial means to live on their own, although this was often through the precarious businesses of 'table marketing' and gardening.

Applying for an IPO can be a big step. Interviewees referred to long histories of being subject to abuse and violence, and at the time of applying for an IPO almost one-third were living at home with the respondent. When asked about what they expected an IPO to achieve, most responses referred to protection and stopping the domestic violence, and several referred to helping the respondent and 'saving our marriage'.

It was apparent that before and even after making an application, many were unfamiliar with the process and were unsure about what to expect from an order. Given low levels of English literacy (with 32% of interviewees saying they could read or write English not well or not at all), one challenge for survivors is completing the paperwork for IPO applications and reading court documents which are in English. Advice and information was crucial, with 49% saying they received help with their application from police (often the Family and Sexual Violence Unit), 44% from specialist family and sexual violence services, and 27% from hospital-based Family Support Centres. The quality and availability of services to assist did vary across the seven locations, and it was evident that where they existed, safe houses were a vital service for short intervals at times of crisis.

The majority of applicants (81%) were successful in obtaining an IPO, and the average time it took was 14.8 days. Respondents were usually a current or former male spouse (88%). According to the interviewees, many reacted with anger and threatened the applicant when served with the order, but the majority did comply (70%). Having the respondent appear before the District Court or Family Court magistrate or having the police being involved was seen as helpful by interviewees, and may reduce the risks at critical times such as the service of a summons or order, which is often done by the applicant.

Based on our interviews, of those that were issued an IPO, the majority (80%) did feel safer as a result. It was underlined that having police intervention or action, somewhere to live away from the respondent, and having a local specialist domestic violence service contributed to their safety. However, many applicants felt it took time to determine whether the IPO had a positive effect on the respondent. Among the sample of applicants interviewed multiple times over a two-month period we found their feelings of safety became more polarised over time, either feeling increasingly safer or less safe.

These findings highlight the need to provide support to survivors at specific times of risk and over the longer term, including assistance with getting a PO in place before the IPO lapses. Very few interviewees had obtained a PO, unless they were a client of Femili PNG. A widespread limited or lack of knowledge of what POs are no doubt contributed to this. Other reasons included that they were satisfied with the outcome from the IPO or found that the process had not worked to date and had given up.

The Family Protection Act was a watershed piece of legislation, and FPOs are a central feature that are becoming more well known and provide a helpful option for survivors and their children. Their efficacy, however, depends on how the respondent reacts and the support of key justice actors, family and the church. While our interviews showed that family protection orders do make women in PNG feel safer, they still need to be approached with caution given that there are particular times of risk, and they are not effective in all cases.

More details on the research project and its findings can be found in the report, [Family Protection Orders in Papua New Guinea](#), and the [summary report](#), as well as related papers on FPO [court processes](#), [domestic violence and family law](#), and a [survey of young people](#). Short films relating to the research are [screening in Canberra](#) on 9 March 2021 and will be available on the Department of Pacific Affairs [YouTube channel](#).

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